

BILL ANALYSIS

C.S.H.B. 2172
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Border & Intergovernmental Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the El Paso Water Utilities Public Service Board, the agency that operates and manages the water and wastewater system for the City of El Paso, charges commercial, industrial, office, residential, city, school district, and county properties a storm water fee. The fees paid by the school districts and county are ultimately passed down to the taxpayers, who already pay the fee on their own residential and business properties.

C.S.H.B. 2172 prohibits a storm water utility established by a municipality and located in an international border county with a population of at least 600,000 from imposing a storm water fee on property owned by a school district located in the municipality or the county in which the municipality is located.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2172 amends the Local Government Code to prohibit a storm water utility established by a municipality from imposing a storm water fee on property owned by a school district located in the municipality or the county in which the municipality is located. The bill makes its provisions applicable only to a storm water utility located in a county with a population of at least 600,000 and located on the international border. The bill defines "storm water utility" as a legal entity that provides the service of managing, maintaining, and improving a storm water system.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2172 removes a condition in the original allowing the board of trustees of a school district or a county commissioners court to consent to the payment of the storm water fee by entering into a contract with the utility. The substitute differs from the original by adding a standard saving provision.