

BILL ANALYSIS

S.B. 1299
By: Watson
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Due to the population of the unincorporated portion of Travis County, the county is required by state law to implement a Storm Water Management Program (SWMP) that includes compliance with a municipal separate storm sewer system (MS4) permit. The Texas Commission on Environmental Quality (TCEQ) assumed authority from the United States Environmental Protection Agency to issue permits and enforce SWMP and has already issued such permits to larger entities under Phase I of SWMP.

TCEQ is now implementing Phase II of SWMP to include Travis County. Chapter 573 (Authority of Certain Counties and Districts to Regulate Stormwater Management), Local Government Code, authorizes Harris County and Bexar County to assess user fees associated with development permits to offset the costs to comply with SWMP. However, Travis County lacks such authority under existing law to implement fees and develop ordinances to carry out SWMP duties.

S.B. 1299 provides that Chapter 573, Local Government Code, applies to certain counties, districts, or authorities, including a county with a population of 800,000 or more that contains a portion of the Edwards Aquifer.

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

SECTION 1. Amends Section 573.001, Local Government Code, as effective April 1, 2009, to provide that this chapter applies to certain counties, districts, or authorities, including a county with a population of 800,000 or more that contains a portion of the Edwards Aquifer. Makes a nonsubstantive change.

SECTION 2. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.