

BILL ANALYSIS

S.B. 2311
By: Averitt
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 2311 prohibits the Texas Water Development Board from approving an application for financing of a water infrastructure project included in the State Water Plan if the applicant has not satisfactorily completed an infrastructure financing survey.

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 15.975, Water Code, by adding Subsection (d), to prohibit the Texas Water Development Board (TWDB) from approving an application if the applicant has failed to satisfactorily complete a request by the executive administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q) (relating to requiring each regional planning group to examine the financing needed to implement the water management strategies and certain projects).

SECTION 2. Amends Section 15.912, Water Code, as follows:

Sec. 15.912. CONSIDERATIONS IN ACTING ON APPLICATION. (a) Creates this subsection from existing text.

(b) Prohibits TWDB from accepting an application for a loan or grant of financial assistance from the fund for a project recommended through the state and regional water planning processes under Sections 16.051 (State Water Plan: Drought, Conservation, Development, and Management; Effect of Plan) and 16.053 (Regional Water Plans) if the applicant has failed to satisfactorily complete a request by the executive administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q).

SECTION 3. Amends Section 16.131, Water Code, as follows:

Sec. 16.131. AUTHORIZED PROJECTS. (a) Creates this subsection from existing text. Makes a nonsubstantive change.

(b) Prohibits TWDB from using the state participation account of the development fund to finance a project recommended through the state and regional water planning processes under Sections 16.051 and 16.053 if the applicant has failed to satisfactorily complete a request by the executive administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q).

SECTION 4. 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.