

BILL ANALYSIS

S.B. 2313
By: Averitt
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 2313 amends current law relating to the creation of the water plan projects fund to assist the Texas Water Development Board in the funding of certain projects identified in the state and regional water plans.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Water Development Board in SECTION 1 (Section 15.434, Water Code) of this bill.

ANALYSIS

SECTION 1. Amends Chapter 15, Water Code, by adding Subchapter G, as follows:

SUBCHAPTER G. WATER PLAN PROJECTS FUND

Sec. 15.431. DEFINITIONS. Defines "bond enhancement agreement" and "debt service."

Sec. 15.432. WATER PLAN PROJECTS FUND. (a) Provide that the water plan projects fund (fund) is an account within the water infrastructure fund and consists of fees dedicated to the fund by the legislature.

(b) Requires the Texas Water Development Board ("TWDB") to use the fund as a source of revenue for debt service related to the funding of water projects described by Subsection (c) and to meet obligations incurred under a bond enhancement agreement in connection with water projects described by Subsection (c).

(c) Authorizes TWDB to use the fund as provided by this section for projects authorized under Subchapter Q (Water Infrastructure Fund); Subchapter E (Storage Acquisition Program), Chapter 16 (Provisions Generally Applicable to Water Development); and Subchapter K (Assistance to Economically Distressed Areas for Water Supply and Sewer Service Projects), Chapter 17 (Public Funding).

Sec. 15.433. TRANSFER TO TEXAS WATER DEVELOPMENT FUND II. Requires the comptroller of public accounts to transfer from the fund to the Texas Water Development Fund II money that is to be used for a purpose described by Section 15.432(b) related to a project authorized under Subchapter E, Chapter 16, in which case the money is required to be deposited into the state participation account under Section 17.957 (State Participation Account) and Subchapter K, Chapter 17, in which case the money is required to be deposited into the economically distressed areas program account under Section 17.958 (Economically Distressed Areas Program Account).

Sec. 15.434. RULES. Requires TWDB to adopt rules providing for the use of the fund consistent with this subchapter.

SECTION 2. Amends Section 17.957(b), Water Code, to provide that the state participation account is composed of money transferred from the fund under Subchapter G, Chapter 15. Makes nonsubstantive changes by renumbering subsections.

SECTION 3. Amends Section 17.958(b), Water Code, to provide that the economically distressed areas program account is composed of money transferred from the fund under Subchapter G, Chapter 15. Makes nonsubstantive changes by renumbering subsections.

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.