

1-1 By: Gonzales (Senate Sponsor - Lucio) H.B. No. 1579
1-2 (In the Senate - Received from the House April 27, 2009;
1-3 May 1, 2009, read first time and referred to Subcommittee on
1-4 Flooding and Evacuations; May 11, 2009, rereferred to Committee on
1-5 International Relations and Trade; May 14, 2009, reported favorably
1-6 by the following vote: Yeas 7, Nays 0; May 14, 2009, sent to
1-7 printer.)

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a county's removal of flood water resulting from a
1-11 natural disaster in certain communities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 561, Local Government Code, is amended
1-14 by adding Section 561.010 to read as follows:

1-15 Sec. 561.010. PROVISION OF FLOOD RELIEF TO COLONIAS. (a) In
1-16 this section, "colonia" means a geographic area that consists of 11
1-17 or more dwellings located in close proximity to each other in an
1-18 area that may be described as a community or neighborhood and that:

1-19 (1) has a majority population composed of individuals
1-20 and families of low income, as defined by Section 2306.004,
1-21 Government Code, and based on the federal Office of Management and
1-22 Budget poverty index, and meets the qualifications of an
1-23 economically distressed area under Section 17.921, Water Code; or

1-24 (2) has the physical and economic characteristics of a
1-25 colonia, as determined by the Texas Department of Housing and
1-26 Community Affairs.

1-27 (b) A county may provide assistance for the removal from
1-28 private property, including a road, of flood water resulting from a
1-29 natural disaster in a colonia if the removal of the water is
1-30 necessary to protect the health and safety of the colonia.

1-31 SECTION 2. This Act takes effect immediately if it receives
1-32 a vote of two-thirds of all the members elected to each house, as
1-33 provided by Section 39, Article III, Texas Constitution. If this
1-34 Act does not receive the vote necessary for immediate effect, this
1-35 Act takes effect September 1, 2009.

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