

1-1 By: Creighton (Senate Sponsor - West) H.B. No. 2536
1-2 (In the Senate - Received from the House May 12, 2009;
1-3 May 13, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 22, 2009, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the floodplain management account.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 16.3161, Water Code, is amended to read
1-12 as follows:

1-13 Sec. 16.3161. FLOODPLAIN MANAGEMENT FUND [~~ACCOUNT~~].

1-14 (a) The floodplain management fund [~~account~~] is a special fund in
1-15 the state treasury outside the general revenue fund. The fund is
1-16 composed of:

1-17 (1) money deposited to the credit of the fund
1-18 [~~account~~] under Section 251.004, Insurance Code;

1-19 (2) money directly appropriated to the board; [~~and~~]

1-20 (3) money from gifts or grants from the United States
1-21 government, local or regional governments, private sources, or
1-22 other sources; and

1-23 (4) interest earned on money credited to the fund.

1-24 (b) The fund [~~account~~] shall be administered by the board in
1-25 accordance with this section.

1-26 (c) The board may use the fund [~~account~~] to fund the
1-27 performance of the board's functions under Section 16.316.

1-28 (d) The board may invest, reinvest, and direct the
1-29 investment of any available money in the fund [~~account~~] as provided
1-30 by law for the investment of money under Section 404.024,
1-31 Government Code.

1-32 (e) Section 403.095, Government Code, does not apply to the
1-33 fund.

1-34 SECTION 2. Section 251.004(b), Insurance Code, is amended
1-35 to read as follows:

1-36 (b) Each state fiscal year, the comptroller shall
1-37 reallocate to the floodplain management fund [~~account~~] established
1-38 under Section 16.3161, Water Code, the first \$3.05 million of the
1-39 maintenance taxes collected under Chapter 252 and deposited in the
1-40 general revenue fund.

1-41 SECTION 3. The floodplain management account established
1-42 under Section 16.3161, Water Code, is redesignated as the
1-43 floodplain management fund and re-created by this Act as a special
1-44 fund in the state treasury outside the general revenue fund, and the
1-45 revenue required by Section 251.004, Insurance Code, and Section
1-46 16.3161, Water Code, to be reallocated to or deposited in the fund,
1-47 as applicable, is required by this Act to be reallocated to or
1-48 deposited in the fund for the purposes specified by Section
1-49 16.3161.

1-50 SECTION 4. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2009.

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