

By: Averitt

S.B. No. 2311

A BILL TO BE ENTITLED

AN ACT

relating to Texas Water Development Board surveys for water infrastructure financing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 15.975, Water Code, is amended by adding Subsection (d) to read as follows:

(d) The board shall not approve 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).

SECTION 2. Section 15.912, Water Code, is amended to read as follows:

Sec. 15.912. CONSIDERATIONS IN ACTING ON APPLICATION.

(a) In acting on an application for financial assistance, the board shall consider:

(1) the needs of the area to be served by the project and the benefit of the project to the area in relation to the needs of other areas requiring state assistance in any manner and the benefits of those projects to the other areas;

(2) the availability of revenue to the political subdivision or water supply corporation from all sources for any necessary repayment of the cost of the project, including all interest;

1 (3) the relationship of the project to overall
2 statewide needs; and

3 (4) any other factors that the board considers
4 relevant.

5 (b) The board may not accept an application for a loan or
6 grant of financial assistance from the fund for a project
7 recommended through the state and regional water planning processes
8 under Sections 16.051 and 16.053 if the applicant has failed to
9 satisfactorily complete a request by the executive administrator or
10 a regional planning group for information relevant to the project,
11 including a water infrastructure financing survey under Section
12 16.053(q).

13 SECTION 3. Section 16.131, Water Code, is amended to read as
14 follows:

15 Sec. 16.131. AUTHORIZED PROJECTS. (a) The board may use
16 the state participation account of the development fund to
17 encourage optimum regional development of projects including the
18 design, acquisition, lease, construction, reconstruction,
19 development, or enlargement in whole or part of:

20 (1) reservoirs and storm water retention basins for
21 water supply, flood protection, and groundwater recharge;

22 (2) facilities for the transmission and treatment of
23 water; and

24 (3) treatment works as defined by Section 17.001 [~~of~~
25 ~~this code~~].

26 (b) The board may not use the state participation account of
27 the development fund to finance a project recommended through the

1 state and regional water planning processes under Sections 16.051
2 and 16.053 if the applicant has failed to satisfactorily complete a
3 request by the executive administrator or a regional planning group
4 for information relevant to the project, including a water
5 infrastructure financing survey under Section 16.053(q).

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