

By: Averitt

S.B. No. 2313

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1. Chapter 15, Water Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. WATER PLAN PROJECTS FUND

Sec. 15.431. DEFINITIONS. In this subchapter:

(1) "Bond enhancement agreement" has the meaning assigned by Section 17.954.

(2) "Debt service" means the payment of principal and interest on bonds issued by the board, including water financial assistance bonds under Chapter 17, for water projects described by Section 15.432(c).

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

(b) The board shall use the water plan projects fund as a source of revenue:

(1) for debt service related to the funding of water projects described by Subsection (c); and

(2) to meet obligations incurred under a bond

1 enhancement agreement in connection with water projects described
2 by Subsection (c)(2).

3 (c) The board may use the water plan projects fund as
4 provided by this section for projects authorized under:

5 (1) Subchapters E and Q; and

6 (2) Subchapters G, I, and K, Chapter 17.

7 Sec. 15.433. TRANSFER TO TEXAS WATER DEVELOPMENT FUND II.
8 The comptroller shall transfer from the water plan projects fund to
9 the Texas Water Development Fund II money that is to be used for a
10 purpose described by Section 15.432(b) related to a project
11 authorized under:

12 (1) Subchapter G or I, Chapter 17, in which case the
13 money shall be deposited into the state participation account under
14 Section 17.957; and

15 (2) Subchapter K, Chapter 17, in which case the money
16 shall be deposited into the economically distressed areas program
17 account under Section 17.958.

18 Sec. 15.434. RULES. The board shall adopt rules providing
19 for the use of the water plan projects fund consistent with this
20 subchapter.

21 SECTION 2. Subsection (b), Section 17.957, Water Code, is
22 amended to read as follows:

23 (b) The state participation account is composed of:

24 (1) money and assets attributable to water financial
25 assistance bonds designated by the board as issued for projects
26 described in Section 16.131;

27 (2) money from the sale, transfer, or lease of a

1 project described in Subdivision (1) that was acquired,
2 constructed, reconstructed, developed, or enlarged with money from
3 the state participation account;

4 (3) payments received under a bond enhancement
5 agreement with respect to water financial assistance bonds
6 designated by the board as issued for projects described in Section
7 16.131;

8 (4) investment income earned on money on deposit in
9 the state participation account; ~~and~~

10 (5) money transferred from the water plan projects
11 fund under Subchapter G, Chapter 15; and

12 (6) any other funds, regardless of their source, that
13 the board directs be deposited to the credit of the state
14 participation account.

15 SECTION 3. Subsection (b), Section 17.958, Water Code, is
16 amended to read as follows:

17 (b) The economically distressed areas program account is
18 composed of:

19 (1) money and assets attributable to water financial
20 assistance bonds designated by the board as issued for projects
21 described in Subchapter K;

22 (2) money provided by the federal government, the
23 state, political subdivisions, and private entities for the purpose
24 of paying debt service on water financial assistance bonds issued
25 for purposes provided by Subchapter K;

26 (3) payments received under a bond enhancement
27 agreement with respect to water financial assistance bonds

1 designated by the board as issued for purposes provided by
2 Subchapter K;

3 (4) investment income earned on money on deposit in
4 the economically distressed areas program account; ~~and~~

5 (5) money transferred from the water plan projects
6 fund under Subchapter G, Chapter 15; and

7 (6) any other funds, regardless of their source, that
8 the board directs be deposited to the credit of the economically
9 distressed areas program account.

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