

By: Averitt

S.B. No. 2314

A BILL TO BE ENTITLED

AN ACT

relating to the administration of the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund.

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

SECTION 1. Subsection (b), Section 15.604, Water Code, is amended to read as follows:

(b) The board shall adopt rules specifying the manner in which any additional state revolving fund hereafter established by the board or any special capitalization grant under the state water pollution control revolving fund, the safe drinking water revolving fund, or other revolving fund established by the board may be used to provide financial assistance to eligible applicants [~~political subdivisions~~] for public works. Such rules shall require financial assistance to be provided for the purpose or purposes and on the terms authorized by the federal legislation or federal agency program under which the additional state revolving fund was established or the special capitalization grant was awarded.

SECTION 2. Section 15.605, Water Code, is amended to read as follows:

Sec. 15.605. RULES. (a) Except as provided by Subsection (b), the [The] board shall adopt necessary rules to carry out this subchapter in accordance with Chapter 2001, Government Code.

(b) If the board determines that rules necessary for compliance with the terms of any special capitalization grant or

1 other federal funding must be adopted more expeditiously than
2 authorized under Chapter 2001, Government Code, the board may
3 proceed with the immediate adoption of rules by posting notice at
4 least 72 hours before the meeting to adopt the rules. Rules adopted
5 under this subsection become void if the board does not readopt the
6 rules in compliance with Chapter 2001, Government Code, on or
7 before the 180th day after the date of the immediate adoption.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2009.