

1-1 By: Averitt S.B. No. 2314
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 15, 2009, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 15, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the administration of the Clean Water State Revolving
1-9 Fund and the Drinking Water State Revolving Fund.

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

1-11 SECTION 1. Subsection (b), Section 15.604, Water Code, is
1-12 amended to read as follows:

1-13 (b) The board shall adopt rules specifying the manner in
1-14 which any additional state revolving fund hereafter established by
1-15 the board or any special capitalization grant under the state water
1-16 pollution control revolving fund, the safe drinking water revolving
1-17 fund, or other revolving fund established by the board may be used
1-18 to provide financial assistance to eligible applicants [~~political~~
1-19 ~~subdivisions~~] for public works. Such rules shall require financial
1-20 assistance to be provided for the purpose or purposes and on the
1-21 terms authorized by the federal legislation or federal agency
1-22 program under which the additional state revolving fund was
1-23 established or the special capitalization grant was awarded.

1-24 SECTION 2. Section 15.605, Water Code, is amended to read as
1-25 follows:

1-26 Sec. 15.605. RULES. (a) Except as provided by Subsection
1-27 (b), the [The] board shall adopt necessary rules to carry out this
1-28 subchapter in accordance with Chapter 2001, Government Code.

1-29 (b) If the board determines that rules necessary for
1-30 compliance with the terms of any special capitalization grant or
1-31 other federal funding must be adopted more expeditiously than
1-32 authorized under Chapter 2001, Government Code, the board may
1-33 proceed with the immediate adoption of rules by posting notice at
1-34 least 72 hours before the meeting to adopt the rules. Rules adopted
1-35 under this subsection become void if the board does not readopt the
1-36 rules in compliance with Chapter 2001, Government Code, on or
1-37 before the 180th day after the date of the immediate adoption.

1-38 SECTION 3. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2009.

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