

## **BILL ANALYSIS**

S.B. 609  
By: Rodriguez  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The 80th Legislature passed legislation that enabled the City of El Paso to charge drainage fees to property owners. The fees are used to make improvements designed to reduce flooding and address the appropriate drainage of storm water. Current law exempts the city, universities, and state buildings from paying the fee. In addition, legislation passed by the 81st Legislature exempted El Paso County and school districts located within the county from the drainage fee (S.B. 874 and S.B. 1522).

S.B. 609 exempts the El Paso Housing Authority (authority) from the drainage fee. This bill brings the authority in line with the other governmental entities in the county. In addition, exempting the authority from the drainage fee would leave more money for the authority to invest in low-income housing and maintenance of public housing complexes in El Paso.

As proposed, S.B. 609 amends current law relating to the exemption of certain property from municipal drainage service charges and from related ordinances, resolutions, and rules.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Reenacts Section 552.053(e), Local Government Code, as added by Chapters 278 (S.B. 874) and 539 (S.B. 1522), Acts of the 81st Legislature, Regular Session, 2009, and amends it as follows:

(e) Provides that the following property is exempt from drainage charges under Section 552.047(Drainage Charges) and all ordinances, resolutions, and rules adopted under this subchapter:

- (1) property owned by a county in which a municipality described by Section 552.044(8)(A) (related to municipality population) is located;
- (2) property owned by a school district located wholly or partly in a municipality described by Section 552.044(8)(A); and
- (3) property owned by a municipal housing authority of a municipality described by Section 552.044(8)(A) (relating to a service area of a population of more than 500,000 located within 50 miles of an international border).

SECTION 2. Provides that to the extent of any conflict, this Act prevails over another Act of the 82nd Legislature, Regular Session, 2011, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 3. Provides for the effective date of this Act.

**EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.