

By: Wentworth  
(Miller of Comal)

S.B. No. 914

A BILL TO BE ENTITLED

AN ACT

relating to the applicability to certain regional water districts of provisions concerning bond approval by the Texas Commission on Environmental Quality.

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

SECTION 1. Subsection (h), Section 49.181, Water Code, is amended to read as follows:

(h) This section does not apply to a district if:

(1) the district's boundaries include one entire county;

(2) the district was created by a special Act of the legislature and:

(A) the district is located entirely within one county;

(B) is entirely within one or more home-rule municipalities;

(C) the total taxable value of the real property and improvements to the real property zoned by one or more home-rule municipalities for residential purposes and located within the district does not exceed 25 percent of the total taxable value of all taxable property in the district, as shown by the most recent certified appraisal tax roll prepared by the appraisal district for the county; and

(D) the district was not required by law to

1 obtain commission approval of its bonds before the effective date  
2 of this section;

3 (3) the district is a special water authority;

4 (4) the district is governed by a board of directors  
5 appointed in whole or in part by the governor, a state agency, or  
6 the governing body or chief elected official of a municipality or  
7 county and does not provide, or propose to provide, water, sewer,  
8 drainage, reclamation, or flood control services to residential  
9 retail or commercial customers as its principal function; ~~or~~

10 (5) the district on September 1, 2003:

11 (A) is a municipal utility district that includes  
12 territory in only two counties;

13 (B) has outstanding long-term indebtedness that  
14 is rated BBB or better by a nationally recognized rating agency for  
15 municipal securities; and

16 (C) has at least 5,000 active water connections;  
17 or

18 (6) the district:

19 (A) is a conservation and reclamation district  
20 created under Section 59, Article XVI, Texas Constitution, that  
21 includes territory in at least three counties; and

22 (B) has the rights, powers, privileges, and  
23 functions applicable to a river authority under Chapter 30.

24 SECTION 2. The change in law made by this Act does not apply  
25 to bonds with regard to which an application and report were  
26 submitted to the Texas Natural Resource Conservation Commission or  
27 the Texas Commission on Environmental Quality under Subsection (b),

1 Section 49.181, Water Code, before the effective date of this Act.  
2 Those bonds are governed by the law as it existed immediately before  
3 the effective date of this Act, and that law is continued in effect  
4 for that purpose.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2011.