

1-1 By: Wentworth S.B. No. 914
1-2 (In the Senate - Filed February 24, 2011; March 8, 2011,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 23, 2011, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 23, 2011, sent to printer.)

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

1-8 relating to the applicability to certain regional water districts
1-9 of provisions concerning bond approval by the Texas Commission on
1-10 Environmental Quality.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (h), Section 49.181, Water Code, is
1-13 amended to read as follows:

1-14 (h) This section does not apply to a district if:

1-15 (1) the district's boundaries include one entire
1-16 county;

1-17 (2) the district was created by a special Act of the
1-18 legislature and:

1-19 (A) the district is located entirely within one
1-20 county;

1-21 (B) is entirely within one or more home-rule
1-22 municipalities;

1-23 (C) the total taxable value of the real property
1-24 and improvements to the real property zoned by one or more home-rule
1-25 municipalities for residential purposes and located within the
1-26 district does not exceed 25 percent of the total taxable value of
1-27 all taxable property in the district, as shown by the most recent
1-28 certified appraisal tax roll prepared by the appraisal district for
1-29 the county; and

1-30 (D) the district was not required by law to
1-31 obtain commission approval of its bonds before the effective date
1-32 of this section;

1-33 (3) the district is a special water authority;

1-34 (4) the district is governed by a board of directors
1-35 appointed in whole or in part by the governor, a state agency, or
1-36 the governing body or chief elected official of a municipality or
1-37 county and does not provide, or propose to provide, water, sewer,
1-38 drainage, reclamation, or flood control services to residential
1-39 retail or commercial customers as its principal function; ~~or~~

1-40 (5) the district on September 1, 2003:

1-41 (A) is a municipal utility district that includes
1-42 territory in only two counties;

1-43 (B) has outstanding long-term indebtedness that
1-44 is rated BBB or better by a nationally recognized rating agency for
1-45 municipal securities; and

1-46 (C) has at least 5,000 active water connections;

1-47 or

1-48 (6) the district:

1-49 (A) is a conservation and reclamation district
1-50 created under Section 59, Article XVI, Texas Constitution, that
1-51 includes territory in at least three counties; and

1-52 (B) has the rights, powers, privileges, and
1-53 functions applicable to a river authority under Chapter 30.

1-54 SECTION 2. The change in law made by this Act does not apply
1-55 to bonds with regard to which an application and report were
1-56 submitted to the Texas Natural Resource Conservation Commission or
1-57 the Texas Commission on Environmental Quality under Subsection (b),
1-58 Section 49.181, Water Code, before the effective date of this Act.
1-59 Those bonds are governed by the law as it existed immediately before
1-60 the effective date of this Act, and that law is continued in effect
1-61 for that purpose.

1-62 SECTION 3. This Act takes effect immediately if it receives
1-63 a vote of two-thirds of all the members elected to each house, as
1-64 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2011.

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