

BILL ANALYSIS

S.B. 1870
By: Hegar
Special Purpose Districts
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that certain unincorporated areas in Fort Bend County would benefit from assistance in planning, financing, and obtaining long-term water supplies and in adopting and implementing a groundwater reduction plan. The parties note that because surface water projects are extremely expensive and difficult, if not impossible, for small municipalities and unincorporated areas to finance and construct, regional cooperation is needed to reduce water project costs through economies of scale and provide a vehicle for the financing of such projects. The parties also note that surface water projects have an extremely long lead time and planning efforts must begin now in order for water to be available in the upcoming decades. S.B. 1870 seeks to address these concerns.

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

S.B. 1870 amends the Special District Local Laws Code to create the West Fort Bend Water Authority to provide certain water services for public use and benefit. The bill provides for, among other provisions, the annexation or exclusion of land, water supply or drought contingency plans, and a groundwater reduction plan. The bill establishes the authority's powers and duties, including the authorization to acquire, construct, and operate water systems; to purchase water from another entity; and to sell or reuse water or any by-product of the authority's operations. The bill authorizes the authority, subject to certain requirements, to issue obligations; establish user fees, rates, and charges; require the payment of interest and penalties on late or unpaid fees; impose administrative penalties and injunctions; and enforce liens. The bill prohibits the authority from imposing a property tax. The bill, if it does not receive a vote of two-thirds of all the members elected to each house, prohibits the authority from exercising the power of eminent domain.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.