

1-1 By: Williams S.B. No. 321
1-2 (In the Senate - Filed January 31, 2013; February 5, 2013,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 2, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 2, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hinojosa	X		
1-9	Nichols	X		
1-10	Garcia	X		
1-11	Paxton	X		
1-12	Taylor	X		

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the powers and duties of the Montgomery County Water
1-16 Control and Improvement District No. 2.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Subchapter C, Chapter 9041, Special District
1-19 Local Laws Code, is amended by adding Section 9041.105 to read as
1-20 follows:

1-21 Sec. 9041.105. POWERS AND DUTIES RELATED TO FILL PROJECTS.

1-22 (a) The district has the powers and duties provided by the general
1-23 law of this state, including Chapters 49 and 57, Water Code,
1-24 applicable to levee improvement districts created under Section 59,
1-25 Article XVI, Texas Constitution.

1-26 (b) The district may:

1-27 (1) reclaim land in the district; and

1-28 (2) construct works, facilities, and improvements
1-29 necessary to accomplish that purpose.

1-30 (c) The district may finance and contract for the
1-31 construction of a fill project or for the acquisition of land for a
1-32 fill project in the district, including drainage and reclamation.

1-33 (d) For the district's exercise of a power of or performance
1-34 of a duty of a levee improvement district as provided by Subsection
1-35 (c), the Texas Commission on Environmental Quality shall consider
1-36 the district to be a levee improvement district.

1-37 SECTION 2. (a) The legal notice of the intention to
1-38 introduce this Act, setting forth the general substance of this
1-39 Act, has been published as provided by law, and the notice and a
1-40 copy of this Act have been furnished to all persons, agencies,
1-41 officials, or entities to which they are required to be furnished
1-42 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-43 Government Code.

1-44 (b) The governor, one of the required recipients, has
1-45 submitted the notice and Act to the Texas Commission on
1-46 Environmental Quality.

1-47 (c) The Texas Commission on Environmental Quality has filed
1-48 its recommendations relating to this Act with the governor, the
1-49 lieutenant governor, and the speaker of the house of
1-50 representatives within the required time.

1-51 (d) All requirements of the constitution and laws of this
1-52 state and the rules and procedures of the legislature with respect
1-53 to the notice, introduction, and passage of this Act are fulfilled
1-54 and accomplished.

1-55 SECTION 3. This Act takes effect immediately if it receives
1-56 a vote of two-thirds of all the members elected to each house, as
1-57 provided by Section 39, Article III, Texas Constitution. If this
1-58 Act does not receive the vote necessary for immediate effect, this
1-59 Act takes effect September 1, 2013.

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