

By: Hegar  
(Miller of Fort Bend)

S.B. No. 1854

A BILL TO BE ENTITLED

AN ACT

relating to certain project powers and duties of the Fort Bend County Levee Improvement District No. 7; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle E, Title 6, Special District Local Laws Code, is amended by adding Chapter 7808 to read as follows:

CHAPTER 7808. FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7808.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "District" means the Fort Bend County Levee Improvement District No. 7.

(3) "Project" means a facility, improvement, appliance, appurtenance, land, interest in property, participation right, contract right, practice, technique, or technology that:

(A) facilitates the recycling and reuse of water, wastewater effluent, or other water or wastewater by-product; and

(B) results in additional water supplies for future or alternative uses.

SUBCHAPTER B. PROJECT POWERS AND DUTIES

Sec. 7808.151. ACQUISITION OF PROJECT. The district may acquire a project, including by purchase or lease.

1       Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF  
2 PROJECT. The district may construct, rehabilitate, repair,  
3 improve, enlarge, operate, and maintain a project.

4       Sec. 7808.153. DELIVERY METHOD. The district may use  
5 alternative delivery methods under Chapter 2267, Government Code,  
6 as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature,  
7 Regular Session, 2011, for a project, in addition to any method  
8 provided by Chapters 49 and 57, Water Code.

9       Sec. 7808.154. CONVEYANCE OF PROJECT. If the board  
10 considers the terms appropriate and favorable to the district, the  
11 district may convey a project to a:

12               (1) municipality in whose extraterritorial  
13 jurisdiction all or part of the district is located; or

14               (2) political subdivision located wholly or partly in  
15 the district.

16       Sec. 7808.155. USE OF PROJECT WATER. If the board considers  
17 the terms appropriate and favorable to the district, the district  
18 may:

19               (1) use the water from a project; or

20               (2) sell or otherwise provide the water to:

21                       (A) a homeowners' or property owners' association  
22 located in the district; or

23                       (B) with the prior consent of a municipality  
24 described by Section 7808.154(1), any person located in the  
25 extraterritorial jurisdiction of that municipality, including a  
26 political subdivision, private entity, and individual.

27       Sec. 7808.156. PROJECT FINANCING. The district may finance

1 a project with property taxes, mandatory fees, or voluntary  
2 contributions.

3 Sec. 7808.157. PROJECT BONDS. The district may issue bonds  
4 or other obligations for a project in the manner provided by  
5 Subchapter G, Chapter 57, Water Code.

6 Sec. 7808.158. JOINT PROJECT. The district may act jointly  
7 in regard to a project under an agreement or contract with any  
8 person, including a political subdivision, private entity, or  
9 individual.

10 Sec. 7808.159. MUNICIPAL APPROVAL. (a) The plans and  
11 specifications for the construction or modification of a project  
12 are subject to:

13 (1) the review and approval of any municipality in  
14 whose extraterritorial jurisdiction all or part of the district is  
15 located; and

16 (2) any ordinance, regulation, or standard criteria a  
17 municipality described by Subdivision (1) may adopt relating to the  
18 construction or operation of similar projects in its corporate  
19 limits or extraterritorial jurisdiction.

20 (b) The approval required by Subsection (a) must be in the  
21 form of an ordinance or resolution adopted by the governing body of  
22 the municipality. Approval for subsequent modifications,  
23 extensions, or repairs of a project may be given in the manner the  
24 municipality customarily uses for other water supply improvements  
25 in its corporate limits or extraterritorial jurisdiction.

26 SECTION 2. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 1854

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2013.