

1-1 By: Hegar S.B. No. 1854
1-2 (In the Senate - Filed March 25, 2013; April 15, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 22, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 22, 2013, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | <u>Hinojosa</u> | X | | |
| 1-9 | <u>Nichols</u> | X | | |
| 1-10 | <u>Garcia</u> | X | | |
| 1-11 | <u>Paxton</u> | X | | |
| 1-12 | <u>Taylor</u> | X | | |

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

1-15 relating to certain project powers and duties of the Fort Bend
1-16 County Levee Improvement District No. 7; providing authority to
1-17 impose a tax and issue bonds.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subtitle E, Title 6, Special District Local Laws
1-20 Code, is amended by adding Chapter 7808 to read as follows:

1-21 CHAPTER 7808. FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 7808.001. DEFINITIONS. In this chapter:

1-24 (1) "Board" means the board of directors of the
1-25 district.

1-26 (2) "District" means the Fort Bend County Levee
1-27 Improvement District No. 7.

1-28 (3) "Project" means a facility, improvement,
1-29 appliance, appurtenance, land, interest in property, participation
1-30 right, contract right, practice, technique, or technology that:

1-31 (A) facilitates the recycling and reuse of water,
1-32 wastewater effluent, or other water or wastewater by-product; and

1-33 (B) results in additional water supplies for
1-34 future or alternative uses.

1-35 SUBCHAPTER B. PROJECT POWERS AND DUTIES

1-36 Sec. 7808.151. ACQUISITION OF PROJECT. The district may
1-37 acquire a project, including by purchase or lease.

1-38 Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF
1-39 PROJECT. The district may construct, rehabilitate, repair,
1-40 improve, enlarge, operate, and maintain a project.

1-41 Sec. 7808.153. DELIVERY METHOD. The district may use
1-42 alternative delivery methods under Chapter 2267, Government Code,
1-43 as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature,
1-44 Regular Session, 2011, for a project, in addition to any method
1-45 provided by Chapters 49 and 57, Water Code.

1-46 Sec. 7808.154. CONVEYANCE OF PROJECT. If the board
1-47 considers the terms appropriate and favorable to the district, the
1-48 district may convey a project to a:

1-49 (1) municipality in whose extraterritorial
1-50 jurisdiction all or part of the district is located; or

1-51 (2) political subdivision located wholly or partly in
1-52 the district.

1-53 Sec. 7808.155. USE OF PROJECT WATER. If the board considers
1-54 the terms appropriate and favorable to the district, the district
1-55 may:

1-56 (1) use the water from a project; or

1-57 (2) sell or otherwise provide the water to:

1-58 (A) a homeowners' or property owners' association
1-59 located in the district; or

1-60 (B) with the prior consent of a municipality
1-61 described by Section 7808.154(1), any person located in the

2-1 extraterritorial jurisdiction of that municipality, including a
2-2 political subdivision, private entity, and individual.

2-3 Sec. 7808.156. PROJECT FINANCING. The district may finance
2-4 a project with property taxes, mandatory fees, or voluntary
2-5 contributions.

2-6 Sec. 7808.157. PROJECT BONDS. The district may issue bonds
2-7 or other obligations for a project in the manner provided by
2-8 Subchapter G, Chapter 57, Water Code.

2-9 Sec. 7808.158. JOINT PROJECT. The district may act jointly
2-10 in regard to a project under an agreement or contract with any
2-11 person, including a political subdivision, private entity, or
2-12 individual.

2-13 Sec. 7808.159. MUNICIPAL APPROVAL. (a) The plans and
2-14 specifications for the construction or modification of a project
2-15 are subject to:

2-16 (1) the review and approval of any municipality in
2-17 whose extraterritorial jurisdiction all or part of the district is
2-18 located; and

2-19 (2) any ordinance, regulation, or standard criteria a
2-20 municipality described by Subdivision (1) may adopt relating to the
2-21 construction or operation of similar projects in its corporate
2-22 limits or extraterritorial jurisdiction.

2-23 (b) The approval required by Subsection (a) must be in the
2-24 form of an ordinance or resolution adopted by the governing body of
2-25 the municipality. Approval for subsequent modifications,
2-26 extensions, or repairs of a project may be given in the manner the
2-27 municipality customarily uses for other water supply improvements
2-28 in its corporate limits or extraterritorial jurisdiction.

2-29 SECTION 2. This Act takes effect immediately if it receives
2-30 a vote of two-thirds of all the members elected to each house, as
2-31 provided by Section 39, Article III, Texas Constitution. If this
2-32 Act does not receive the vote necessary for immediate effect, this
2-33 Act takes effect September 1, 2013.

2-34 * * * * *