

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2015

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 2622, as Filed by Representative Rodney Anderson - Relating to the procedure for claiming an exemption from ad valorem taxation by the Dallas County Utility and Reclamation District of certain property subject to a tax abatement agreement with the district and to the validation of certain actions of the district

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends previous legislation related to Dallas County Utility and Reclamation District (the "District") to specify that if the District enters into a tax abatement agreement with the owner of single-family residential property to exempt a portion of the taxable value of the property from taxation, the tax assessor-collector for the District or a person designated by the tax assessor-collector may file an application for the exemption on behalf of the property owner with the chief appraiser for the appraisal district in which the property is located.

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The bill states that all governmental and proprietary actions of the District taken before the effective date of the bill are validated, ratified, and confirmed in all respects as if the actions had been taken as authorized by law; however, the validation, ratification, and confirmation does not apply to any matter that that on the effective date of the bill: (1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or (2) has been held invalid by a final court judgment.

Sincerely,

A handwritten signature in cursive script that reads "Linda Brookins".

Linda Brookins, Director
Water Supply Division
Texas Commission on Environmental Quality

cc: Honorable Dennis Bonnen, Chairman, House Committee on Ways & Means
Representative Rodney Anderson, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 2622
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

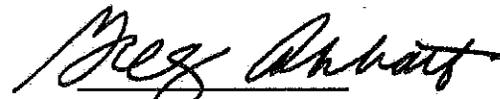
3/12/2015
Date transmitted to
Governor's Office


Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 16, 2015
Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality



By: Anderson of Dallas

H.B. No. 2622

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the procedure for claiming an exemption from ad valorem
3 taxation by the Dallas County Utility and Reclamation District of
4 certain property subject to a tax abatement agreement with the
5 district and to the validation of certain actions of the district.

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

7 SECTION 1. Section 4B, Chapter 628, Acts of the 68th
8 Legislature, Regular Session, 1983, is amended by adding
9 Subdivision (16) to read as follows:

10 (16) If the district enters into a tax abatement
11 agreement with the owner of single-family residential property to
12 exempt a portion of the taxable value of the property from taxation
13 as authorized by Subdivision (7)(B) of this section, the tax
14 assessor-collector for the district or a person designated by the
15 tax assessor-collector may file an application for the exemption on
16 behalf of the property owner with the chief appraiser for the
17 appraisal district in which the property is located.

18 SECTION 2. (a) All governmental and proprietary actions of
19 the Dallas County Utility and Reclamation District taken before the
20 effective date of this Act are validated, ratified, and confirmed
21 in all respects as if the actions had been taken as authorized by
22 law.

23 (b) This section does not apply to any matter that on the
24 effective date of this Act:

1 (1) is involved in litigation if the litigation
2 ultimately results in the matter being held invalid by a final court
3 judgment; or

4 (2) has been held invalid by a final court judgment.

5 SECTION 3. (a) The legal notice of the intention to
6 introduce this Act, setting forth the general substance of this
7 Act, has been published as provided by law, and the notice and a
8 copy of this Act have been furnished to all persons, agencies,
9 officials, or entities to which they are required to be furnished
10 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
11 Government Code.

12 (b) The governor, one of the required recipients, has
13 submitted the notice and Act to the Texas Commission on
14 Environmental Quality.

15 (c) The Texas Commission on Environmental Quality has filed
16 its recommendations relating to this Act with the governor, the
17 lieutenant governor, and the speaker of the house of
18 representatives within the required time.

19 (d) All requirements of the constitution and laws of this
20 state and the rules and procedures of the legislature with respect
21 to the notice, introduction, and passage of this Act are fulfilled
22 and accomplished.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.