

By: González

H.B. No. 995

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of stormwater control and recapture planning authorities in certain counties.

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

SECTION 1. Subtitle C, Title 12, Local Government Code, is amended by adding Chapter 391A to read as follows:

CHAPTER 391A. STORMWATER CONTROL AND RECAPTURE PLANNING

AUTHORITIES IN CERTAIN COUNTIES

Sec. 391A.001. DEFINITIONS. In this chapter:

(1) "Affected county" means a county that:

(A) has a population of 800,000 or more; and

(B) receives an average annual rainfall of 15 inches or less based on the most recent 10-year period according to data available from a reliable source, including the United States Department of Agriculture Natural Resources Conservation Service or the PRISM Climate Group, Oregon State University.

(2) "Authority" means a commission established under this chapter.

Sec. 391A.002. ESTABLISHMENT. (a) A stormwater control and recapture planning authority is established in each affected county in this state.

(b) An authority is a political subdivision of this state.

Sec. 391A.003. TERRITORY. The territory of an authority includes all of the territory in the affected county in which the

1 authority is located except any territory within the boundaries or
2 extraterritorial jurisdiction of that county's largest
3 municipality, provided that the municipality has a plan in place
4 for the control of stormwater on the date the authority is
5 established.

6 Sec. 391A.004. BOARD OF DIRECTORS. The governing body of an
7 authority is a board of directors composed of:

8 (1) a representative of the county in which the
9 authority is located and each municipality within the territory of
10 the authority;

11 (2) a representative of each water utility within the
12 territory of the authority not also described by Subdivision (1);

13 (3) a representative of each water district within the
14 territory of the authority that has been in operation for at least
15 15 years; and

16 (4) each member of the state legislature whose
17 legislative district is wholly or partly in the territory of the
18 authority.

19 Sec. 391A.005. POWERS AND DUTIES. (a) An authority shall:

20 (1) coordinate and adopt a long-range master plan to
21 facilitate the development and management of integrated stormwater
22 control and recapture projects and facilities within the
23 authority's territory;

24 (2) apply for, accept, and receive gifts, grants,
25 loans, and other money available from any source, including the
26 state, the federal government, and an entity represented on the
27 board of directors under Sections 391A.004(1), (2), and (3), to

1 perform its purposes; and

2 (3) assist an entity represented on the board of
3 directors under Sections 391A.004(1), (2), and (3) in carrying out
4 an objective included in the authority's master plan.

5 (b) The authority may:

6 (1) enter into contracts as necessary to carry out the
7 authority's powers and duties; and

8 (2) employ staff and consult with and retain experts.

9 (c) The authority may not:

10 (1) impose a tax or issue bonds; or

11 (2) regulate the structures or facilities of an
12 electric utility as "electric utility" is defined by Section
13 [31.002](#), Utilities Code.

14 Sec. 391A.006. EXPIRATION OF CHAPTER. This chapter expires
15 September 1, 2023.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section [39](#), Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2015.