

By: González

H.B. No. 995

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of stormwater control 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 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 Spatial Climate Analysis Service at Oregon State University.

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

Sec. 391A.002. ESTABLISHMENT. (a) A stormwater control 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. (a) The governing body  
7 of an 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 (b) An entity or person described by Subsection (a) is not  
20 required to participate in governing an authority. Participation  
21 is voluntary.

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

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

26 (2) apply for, accept, and receive gifts, grants,  
27 loans, and other money available from any source, including the

1 state, the federal government, and an entity represented on the  
2 board of directors under Sections 391A.004(1), (2), and (3), to  
3 perform its purposes; and

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

7 (b) The authority may:

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

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

11 (c) The authority may not impose a tax or issue bonds.

12 Sec. 391A.006. EXPIRATION OF CHAPTER. This chapter expires  
13 September 1, 2023.

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