

AN ACT

relating to the authority of a water district to accept donations to fund certain economic development programs.

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

SECTION 1. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.2291 to read as follows:

Sec. 49.2291. DONATIONS FOR ECONOMIC DEVELOPMENT. (a) In this section, "economic development program" has the meaning assigned by Section 152.151.

(b) This section applies only to a district located in the unincorporated area of a county with a population of four million or more.

(c) A district may accept a donation in any form from any source approved by the board to provide funds to a nonprofit organization providing economic development programs that the board determines will preserve property values in the district.

(d) A contract with a nonprofit organization providing economic development programs described by Subsection (c) may include the specific uses of donations collected by the district on behalf of the nonprofit organization under this section.

(e) A contract entered into under Subsection (d) must require the nonprofit organization administering the program to:

(1) maintain accounting records and funds independent of all other funds unrelated to the program;

1 (2) make the records maintained under Subdivision (1)
2 available for public inspection at reasonable times;

3 (3) have an annual independent audit made of the
4 accounting records and funds;

5 (4) use the funds only for programs in a county
6 described by Subsection (b); and

7 (5) reimburse the district for costs of collection
8 incurred by the district, except to the extent that the district
9 agrees to bear those costs.

10 (f) All records of the administrator of an economic
11 development program, unless protected from disclosure under
12 Chapter 552, Government Code, shall be public information, as
13 defined by Section 552.002, Government Code.

14 (g) A district providing potable water or sewer service may,
15 as part of its billing process, collect from customers voluntary
16 donations on behalf of a nonprofit organization providing economic
17 development programs described by Subsection (c). A district that
18 collects voluntary donations under this subsection must give
19 reasonable notice to customers that the donations are voluntary.
20 If a donation is included in the total amount of a district's bill
21 to a customer, the bill must identify the exact amount of the
22 donation and include a telephone number the customer can call to
23 have the donation deleted from the bill and any future bills issued
24 to that customer. Water and sewer service may not be terminated as
25 a result of failing to pay a voluntary donation.

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

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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, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 2528 was passed by the House on May 5, 2015, by the following vote: Yeas 144, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2528 was passed by the Senate on May 26, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor