

By: Harless

H.B. No. 2528

A BILL TO BE ENTITLED

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 the district with economic development programs that the board determines will preserve property values in the district.

(d) A district shall contract with a nonprofit organization providing economic development programs in the district to describe the specific uses of a donation collected 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

1 of all other funds unrelated to the program;

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

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

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

10 (g) A district providing potable water or sewer service may,  
11 as part of its billing process, collect from customers a voluntary  
12 contribution on behalf of a nonprofit organization providing  
13 economic development programs in the district. A district that  
14 collects a voluntary contribution under this subsection must give  
15 reasonable notice to customers that the contribution is voluntary.  
16 Water and sewer service may not be terminated as a result of failing  
17 to pay the voluntary contribution.

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