

Amend Bettencourt Floor Substitute (Floor Amendment No. 1) to CSSB 2 by adding the following appropriately numbered SECTIONS to the substitute and renumbering the subsequent SECTIONS of the substitute accordingly:

SECTION _____. Chapter 26, Tax Code, is amended by adding Section 26.0442 to read as follows:

Sec. 26.0442. TAX RATE ADJUSTMENT FOR FLOOD CONTROL PLANNING AND FLOOD PROJECTS. (a) In this section:

(1) "Flood control planning and flood project expenditures" for a tax year means the amount of expenditures made by a county or municipality in the period beginning on July 1 of the preceding tax year and ending on June 30 of the current tax year on flood control planning and flood projects.

(2) "Flood control planning" means any work related to:

(A) research, data collection, mapping, modeling, or planning associated with structural or nonstructural storm water or flood management, protection, control, drainage, or mitigation;

(B) providing information to the public in connection with activities described by Paragraph (A);

(C) preparing applications for and obtaining regulatory approval at the local, state, or federal level;

(D) activities associated with administrative or legal proceedings by regulatory agencies; or

(E) preparing engineering plans and specifications to provide structural or nonstructural storm water or flood management, protection, control, drainage, or mitigation.

(3) "Flood project" means a structural or nonstructural storm water or flood management, protection, control, drainage, or mitigation project, including:

(A) flood control planning and design activities;

(B) work to obtain regulatory approval to provide structural or nonstructural storm water or flood management, protection, control, drainage, or mitigation;

(C) construction of structural flood mitigation

and drainage infrastructure; and

(D) implementation of nonstructural storm water or flood management, protection, control, drainage, or mitigation.

(b) If a municipality's or county's flood control planning and flood project expenditures funded from maintenance and operations tax revenue exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the municipality or county is increased by the rate computed according to the following formula:

(Current Tax Year's Flood Control Planning and Flood Project Expenditures - Preceding Tax Year's Flood Control Planning and Flood Project Expenditures) / (Current Total Value - New Property Value)

(c) The municipality or county shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and the amount of flood control planning and flood project expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

SECTION _____. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.2362 to read as follows:

Sec. 49.2362. TAX RATE ADJUSTMENT FOR FLOOD CONTROL PLANNING AND FLOOD PROJECTS. (a) In this section:

(1) "Current total value" and "new property value" have the meanings assigned by Section 26.012, Tax Code.

(2) "Flood control planning and flood project expenditures" for a tax year means the amount of expenditures made by a district in the period beginning on July 1 of the preceding tax year and ending on June 30 of the current tax year on flood control planning and flood projects.

(3) "Flood control planning" and "flood project" have the meanings assigned by Section 26.0442, Tax Code.

(b) If a district's flood control planning and flood project expenditures funded from operation and maintenance tax revenue exceed the amount of those expenditures for the preceding tax year, for purposes of Section 49.236(d), the operation and maintenance tax rate that would impose the amount of the operation and

maintenance tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that tax year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, is increased by the rate computed according to the following formula:

(Current Tax Year's Flood Control Planning and Flood Project Expenditures - Preceding Tax Year's Flood Control Planning and Flood Project Expenditures) / (Current Total Value - New Property Value)

(c) The district shall include a notice of the increase provided by this section in the operation and maintenance tax rate described by Subsection (b) of this section, including a description and the amount of flood control planning and flood project expenditures, in the information published under Section 49.236.