

Amend CSSB 2452 (senate committee printing) as follows:

(1) In the recital to SECTION 7 of the bill (page 3, line 28), between "(b)," and "and", insert "(c),".

(2) In SECTION 7 of the bill, amended Section 17.933(a), Water Code (page 3, line 35), between "17.927(b)(7)" and the period, insert "and the political subdivision's ability to repay the financial assistance".

(3) In SECTION 7 of the bill, immediately following amended Section 17.933(b), Water Code (page 3, between line 51 and 52), insert the following:

(c) The total amount of financial assistance provided by the board to political subdivisions under this subchapter from state-issued bonds for which repayment is not required may not exceed at any time 70 [~~90~~] percent of the total principal amount of issued and unissued bonds authorized under Article III of the Texas Constitution, for purposes of this subchapter plus outstanding interest on those bonds.

(4) In SECTION 7 of the bill, in amended Section 17.933(d), Water Code (page 3, line 54), between "shall" and "consider" insert "establish repayment based on the political subdivision's ability to repay the financial assistance and shall".

(5) In SECTION 7 of the bill, at the end of amended Section 17.933(d)(3), Water Code (page 3, line 65), strike "and" and substitute "~~and~~".

(6) In SECTION 7 of the bill, in amended Section 17.933(d)(4), Water Code (page 3, line 67), between "code" and the period, insert the following:

; and

(5) the ability of the board to maximize the portion of financial assistance for which repayment is required based on the political subdivision's ability to repay the assistance, as provided by board rule

(7) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 17.929(a), Water Code, is amended to read as follows:

(a) In passing on an application for financial assistance,

the board shall consider:

(1) the need of the economically distressed area to be served by the water supply and sewer services in relation to the need of other political subdivisions requiring financial assistance under this subchapter and the relative costs and benefits of all applications;

(2) the availability to the area to be served by the project of revenue or financial assistance from alternative sources for the payment of the cost of the proposed project;

(3) the financing of the proposed water supply and sewer project including consideration of:

(A) the budget and repayment schedule submitted under Section 17.927(b)(4);

(B) other items included in the application relating to financing; and

(C) other financial information and data available to the board;

(4) whether the county and other appropriate political subdivisions have adopted model rules pursuant to Section 16.343 and the manner of enforcement of model rules; ~~and~~

(5) the feasibility of achieving cost savings by providing a regional facility for water supply or wastewater service and the feasibility of financing the facility by using funds from the economically distressed areas account or any other financial assistance; and

(6) the ability of the applicant to repay the financial assistance.