



19 APR 10 AM 9:04

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY:

1 Amend C.S.H.B. No. 2 (house committee printing) by adding the  
2 following appropriately numbered SECTIONS to the bill and  
3 renumbering the subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding  
5 Section 26.0442 to read as follows:

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

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

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

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

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

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

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

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

28 (3) "Flood project" means a structural or  
29 nonstructural storm water or flood management, protection,

1 control, drainage, or mitigation project, including:

2 (A) flood control planning and design  
3 activities;

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

7 (C) construction of structural flood mitigation  
8 and drainage infrastructure; and

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

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

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

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

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

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

31 (1) "Current total value" and "new property value"

1 have the meanings assigned by Section 26.012, Tax Code.

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

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

9 (b) If a district's flood control planning and flood project  
10 expenditures funded from operation and maintenance tax revenue  
11 exceed the amount of those expenditures for the preceding tax year,  
12 for purposes of Section 49.236(d), the operation and maintenance  
13 tax rate that would impose the amount of the operation and  
14 maintenance tax imposed by the district in the preceding tax year on  
15 a residence homestead appraised at the average appraised value of a  
16 residence homestead in the district in that tax year, disregarding  
17 any homestead exemption available only to disabled persons or  
18 persons 65 years of age or older, is increased by the rate computed  
19 according to the following formula:

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

24 (c) The district shall include a notice of the increase  
25 provided by this section in the operation and maintenance tax rate  
26 described by Subsection (b) of this section, including a  
27 description and the amount of flood control planning and flood  
28 project expenditures, in the information published under Section  
29 49.236.