86R25793 SLB-D

By:  Paul, Phelan, Deshotel H.B. No. 4293

Substitute the following for H.B. No. 4293:

By:  Metcalf C.S.H.B. No. 4293

A BILL TO BE ENTITLED

AN ACT

relating to the maintenance and operation of certain projects by certain drainage districts.

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

SECTION 1.  Chapter 34, Acts of the 57th Legislature, 3rd Called Session, 1962, is amended by adding Section 19 to read as follows:

Sec. 19.  (a)  The District may enter into a project partnership agreement with the United States Army Corps of Engineers for a project proposed to be located in the District and listed in the Sabine Pass to Galveston Bay Texas Coastal Storm Risk Management and Ecosystem Restoration report published by the United States Army Corps of Engineers in May 2017. If the District enters into a project partnership agreement under this subsection, the District:

(1)  must:

(A)  develop a maintenance and operation plan for the proposed project; and

(B)  biennially submit a report to the General Land Office and the legislature on expenditures of state money relating to a project described by this subsection; and

(2)  may enter into an agreement:

(A)  for a public-private partnership to fund a local share of or the costs of the operation and maintenance of a project described by this subsection; or

(B)  with the General Land Office to obtain funding for a local match requirement or the operation and maintenance of a project described by this subsection.

(a-1)  If the District enters into a project partnership agreement under this section before November 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than December 1, 2020. This subsection expires January 1, 2021.

(b)  If a project described by Subsection (a) of this section is built in the District, the District may accept money from any source to:

(1)  fund the maintenance and operation of the project; and

(2)  provide local matching funds required by the project partnership agreement with the United States Army Corps of Engineers.

SECTION 2.  Chapter 307, Acts of the 58th Legislature, Regular Session, 1963, is amended by adding Section 20 to read as follows:

Sec. 20.  (a)  The District may enter into a project partnership agreement with the United States Army Corps of Engineers for a project proposed to be located in the District and listed in the Sabine Pass to Galveston Bay Texas Coastal Storm Risk Management and Ecosystem Restoration report published by the United States Army Corps of Engineers in May 2017. If the District enters into a project partnership agreement under this subsection, the District:

(1)  must:

(A)  develop a maintenance and operation plan for the proposed project; and

(B)  biennially submit a report to the General Land Office and the legislature on expenditures of state money relating to a project described by this subsection; and

(2)  may enter into an agreement:

(A)  for a public-private partnership to fund a local share of or the costs of the operation and maintenance of a project described by this subsection; or

(B)  with the General Land Office to obtain funding for a local match requirement or the operation and maintenance of a project described by this subsection.

(a-1)  If the District enters into a project partnership agreement under this section before November 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than December 1, 2020. This subsection expires January 1, 2021.

(b)  If a project described by Subsection (a) of this section is built in the District, the District may accept money from any source to:

(1)  fund the maintenance and operation of the project; and

(2)  provide local matching funds required by the project partnership agreement with the United States Army Corps of Engineers.

SECTION 3.  Chapter 44, Acts of the 57th Legislature, 3rd Called Session, 1962, is amended by adding Section 14 to read as follows:

Sec. 14.  (a)  The District may enter into a project partnership agreement with the United States Army Corps of Engineers for a project proposed to be located in the District and listed in the Sabine Pass to Galveston Bay Texas Coastal Storm Risk Management and Ecosystem Restoration report published by the United States Army Corps of Engineers in May 2017. If the District enters into a project partnership agreement under this subsection, the District:

(1)  must:

(A)  develop a maintenance and operation plan for the proposed project; and

(B)  biennially submit a report to the General Land Office and the legislature on expenditures of state money relating to a project described by this subsection; and

(2)  may enter into an agreement:

(A)  for a public-private partnership to fund a local share of or the costs of the operation and maintenance of a project described by this subsection; or

(B)  with the General Land Office to obtain funding for a local match requirement or the operation and maintenance of a project described by this subsection.

(a-1)  If the District enters into a project partnership agreement under this section before November 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than December 1, 2020. This subsection expires January 1, 2021.

(b)  If a project described by Subsection (a) of this section is built in the District, the District may accept money from any source to:

(1)  fund the maintenance and operation of the project; and

(2)  provide local matching funds required by the project partnership agreement with the United States Army Corps of Engineers.

SECTION 4.  This Act takes effect September 1, 2019.