S.B. No. 2212

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 or an agreement with the General Land Office or another state agency 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 or an agreement with the General Land Office or another state agency 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:

(i)  expenditures of state money relating to a project described by this subsection; and

(ii)  the extent to which additional appropriations or additional money from any other source is needed for the next biennium; and

(2)  may enter into an agreement 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.

(a-1)  If the District enters into a project partnership agreement or an agreement with the General Land Office or another state agency under this section before May 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than June 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 or an agreement with the General Land Office or another state agency 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 or an agreement with the General Land Office or another state agency 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:

(i)  expenditures of state money relating to a project described by this subsection; and

(ii)  the extent to which additional appropriations or additional money from any other source is needed for the next biennium; and

(2)   may enter into an agreement 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.

(a-1)  If the District enters into a project partnership agreement or an agreement with the General Land Office or another state agency under this section before May 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than June 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 or an agreement with the General Land Office or another state agency 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 or an agreement with the General Land Office or another state agency 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:

(i)  expenditures of state money relating to a project described by this subsection; and

(ii)  the extent to which additional appropriations or additional money from any other source is needed for the next biennium; and

(2)  may enter into an agreement 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.

(a-1)  If the District enters into a project partnership agreement or an agreement with the General Land Office or another state agency under this section before May 1, 2020, the initial report described by Subsection (a)(1)(B) of this section must be submitted not later than June 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.

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I hereby certify that S.B. No. 2212 passed the Senate on April 16, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 24, 2019, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 2212 passed the House, with amendment, on May 21, 2019, by the following vote: Yeas 147, Nays 0, one present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor