

By: Miller

H.B. No. 4712

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.

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

SECTION 1. Section 7808.001(3), Special District Local Laws Code, is amended to read as follows:

(3) "Reuse project [~~Project~~]" means a facility, improvement, appliance, appurtenance, land, interest in property, participation right, contract right, practice, technique, or technology that:

(A) facilitates the recycling and reuse of water, wastewater effluent, or other water or wastewater by-product; and

(B) results in additional water supplies for future or alternative uses.

SECTION 2. Subchapter B, Chapter 7808, Special District Local Laws Code, is amended to read as follows:

SUBCHAPTER B. REUSE PROJECT POWERS AND DUTIES

Sec. 7808.151. ACQUISITION OF REUSE PROJECT. The district may acquire a reuse project, including by purchase or lease.

Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF REUSE PROJECT. The district may construct, rehabilitate, repair, improve, enlarge, operate, and maintain a reuse project.

~~[Sec. 7808.153. DELIVERY METHOD. The district may use alternative delivery methods under Chapter 2267, Government Code,~~

~~as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature, Regular Session, 2011, for a project, in addition to any method provided by Chapters 49 and 57, Water Code.]~~

Sec. 7808.154. CONVEYANCE OF REUSE PROJECT. If the board considers the terms appropriate and favorable to the district, the district may convey a reuse project to a:

(1) municipality in whose extraterritorial jurisdiction all or part of the district is located; or

(2) political subdivision located wholly or partly in the district.

Sec. 7808.155. USE OF REUSE PROJECT WATER. If the board considers the terms appropriate and favorable to the district, the district may:

(1) use the water from a reuse project; or

(2) sell or otherwise provide the water to:

(A) a homeowners' or property owners' association located in the district; or

(B) with the prior consent of a municipality described by Section 7808.154(1), any person located in the extraterritorial jurisdiction of that municipality, including a political subdivision, private entity, and individual.

Sec. 7808.156. REUSE PROJECT FINANCING. The district may finance a reuse project with property taxes, mandatory fees, or voluntary contributions.

Sec. 7808.157. REUSE PROJECT BONDS. The district may issue bonds or other obligations for a reuse project in the manner provided by Subchapter G, Chapter 57, Water Code.

1           Sec. 7808.158. JOINT REUSE PROJECT. The district may act  
2 jointly in regard to a reuse project under an agreement or contract  
3 with any person, including a political subdivision, private entity,  
4 or individual.

5           Sec. 7808.159. MUNICIPAL APPROVAL. (a) The plans and  
6 specifications for the construction or modification of a reuse  
7 project are subject to:

8                   (1) the review and approval of any municipality in  
9 whose extraterritorial jurisdiction all or part of the district is  
10 located; and

11                   (2) any ordinance, regulation, or standard criteria a  
12 municipality described by Subdivision (1) may adopt relating to the  
13 construction or operation of similar reuse projects in its  
14 corporate limits or extraterritorial jurisdiction.

15           (b) The approval required by Subsection (a) must be in the  
16 form of an ordinance or resolution adopted by the governing body of  
17 the municipality. Approval for subsequent modifications,  
18 extensions, or repairs of a reuse project may be given in the manner  
19 the municipality customarily uses for other water supply  
20 improvements in its corporate limits or extraterritorial  
21 jurisdiction.

22           SECTION 3. Chapter [7808](#), Special District Local Laws Code,  
23 is amended by adding Subchapter C to read as follows:

24                   SUBCHAPTER C. CONTRACTS

25           Sec. 7808.201. DELIVERY METHOD. Notwithstanding the  
26 limitations provided by Sections [2269.003](#) and [2269.352](#), Government  
27 Code, for the design and construction of erosion control facilities

1 located in or adjacent to the Brazos River and any related facility  
2 or improvement, the district may use a delivery method described  
3 by:

4 (1) Chapter 2269, Government Code; or

5 (2) Subchapter I, Chapter 49, Water Code.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2019.