

SENATE AMENDMENTS

2nd Printing

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.

ADOPTED

FLOOR AMENDMENT NO. 11

MAY 22 2019

BY:

Atay Spaw
Secretary of the Senate

Barbara Coe

Amend H.B. No. 4712 by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION ____ Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Section 8334.003 to read as follows:

Sec. 8334.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4712 by Miller (Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code to modify the powers and duties of certain levee improvement districts.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: WP, SZ, GP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 10, 2019

TO: Honorable Charles Perry, Chair, Senate Committee on Water & Rural Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4712 by Miller (Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code to modify the powers and duties of certain levee improvement districts.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: WP, SZ, GP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 12, 2019

TO: Honorable Lyle Larson, Chair, House Committee on Natural Resources

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4712 by Miller (Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code to modify the powers and duties of certain levee improvement districts.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: WP, SZ, GP