

House Bill 4712
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 1. Section 7808.001(3), Special District Local Laws Code, is amended to read as follows:</p> <p>(3) "<u>Reuse project</u> [Project]" means a facility, improvement, appliance, appurtenance, land, interest in property, participation right, contract right, practice, technique, or technology that:</p> <p>(A) facilitates the recycling and reuse of water, wastewater effluent, or other water or wastewater by-product; and</p> <p>(B) results in additional water supplies for future or alternative uses.</p>	<p>SECTION 1. Same as House version.</p>	
<p>SECTION 2. Subchapter B, Chapter 7808, Special District Local Laws Code, is amended to read as follows:</p> <p>SUBCHAPTER B. <u>REUSE</u> PROJECT POWERS AND DUTIES</p> <p>Sec. 7808.151. ACQUISITION OF <u>REUSE</u> PROJECT. The district may acquire a <u>reuse</u> project, including by purchase or lease.</p> <p>Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF <u>REUSE</u> PROJECT. The district may construct, rehabilitate, repair, improve, enlarge, operate, and maintain a reuse project.</p> <p>[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.]</p> <p>Sec. 7808.154. CONVEYANCE OF <u>REUSE</u> PROJECT. If the board considers the terms appropriate and favorable to the district, the district may convey a <u>reuse</u> project to a:</p>	<p>SECTION 2. Same as House version.</p>	

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(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.

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

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

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

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

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

SECTION 3. Chapter 7808, Special District Local Laws Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. CONTRACTS

Sec. 7808.201. DELIVERY METHOD. Notwithstanding the limitations provided by Sections 2269.003 and 2269.352, Government Code, for the design and construction of erosion control facilities located in or adjacent to the Brazos River and any related facility or improvement, the district may use a delivery method described by:

(1) Chapter 2269, Government Code; or

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

SECTION 3. Same as House version.

No equivalent provision.

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

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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. [FA1]

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

SECTION 4. Same as House version.