

Amend CSHB 1492 (house committee printing) as follows:

(1) On page 1, line 22, between "CONTRACTS." and "A schedule", insert "(a)".

(2) On page 2, between lines 6 and 7, insert the following:

(b) A rate, fee, charge, rule, or ordinance is only enforceable under this section if the rate, fee, charge, rule, or ordinance is authorized by:

(1) a section of this code other than this section; or

(2) 33 U.S.C. Section 2236.

(c) In the event of a conflict or inconsistency between an implied contract under this section and an express contract between the district and the person using the district's facilities or waterways, the terms of the express contract govern and control.

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 60.103, Water Code, is amended to read as follows:

Sec. 60.103. PRESCRIBING FEES AND CHARGES. The district [~~commission~~] shall prescribe fees and charges to be collected for the use of the land, improvements, and facilities of the district and for the use of any land, improvements, or facilities acquired under the provisions of this subchapter. The fees and charges shall be reasonable, equitable, and sufficient to produce revenue necessary to exercise the powers described by Section 60.101 and adequate to pay the expenses described by [~~mentioned in~~] Section 60.105 [~~of this code~~].