

By: Creighton

S.B. No. 1892

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds; providing authority to impose assessments and fees.

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

SECTION 1. Subtitle L, Title 6, Special District Local Laws Code, is amended by adding Chapter 9602 to read as follows:

CHAPTER 9602. LAKE HOUSTON DREDGING AND MAINTENANCE DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9602.0101. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board of directors of the district.

(3) "District" means the Lake Houston Dredging and Maintenance District.

Sec. 9602.0102. NATURE OF DISTRICT. The district is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9602.0103. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) The district is created to serve a public use and benefit.

(b) All land and other property in the boundaries of the district will benefit from the works and projects accomplished by

1 the district under the powers conferred by Section 59, Article XVI,
2 Texas Constitution.

3 Sec. 9602.0104. DISTRICT TERRITORY. Unless the district
4 territory has been modified under Subchapter J, Chapter 49, Water
5 Code, or other law, the boundaries of the district are coextensive
6 with the boundaries of Harris County.

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 9602.0201. GOVERNING BODY; TERMS. (a) The district is
9 governed by a board of directors appointed as follows:

10 (1) three directors appointed by the Harris County
11 Commissioners Court;

12 (2) three directors appointed by the city council of
13 the City of Houston; and

14 (3) the board's presiding officer, appointed jointly
15 by the county judge of Harris County and the mayor of the City of
16 Houston.

17 (b) Directors serve staggered four-year terms.

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 9602.0301. GENERAL POWERS AND DUTIES. Except as
20 provided by this chapter, the district has the powers and duties
21 applicable to a district under Chapter 49, Water Code.

22 Sec. 9602.0302. SPECIFIC POWERS AND DUTIES. (a) In this
23 section, "dredging and maintenance operations" includes the
24 removal of:

25 (1) sediment and debris from under the water; and

26 (2) floating debris.

27 (b) The district shall perform dredging and maintenance

1 operations on Lake Houston. The district may form interlocal
2 agreements with political subdivisions, corporate entities, or
3 other persons to perform dredging and maintenance operations on
4 Lake Houston.

5 (c) The district may seek from any source a grant of money,
6 equipment, or another resource to assist the district's dredging
7 and maintenance operations.

8 Sec. 9602.0303. LIMITATION ON POWERS. The district may
9 not:

10 (1) finance, develop, or maintain a recreational
11 facility under Subchapter N, Chapter 49, Water Code;

12 (2) exercise the power of eminent domain; or

13 (3) perform the same function as another conservation
14 and reclamation district whose territory overlaps with the
15 territory of the district.

16 SUBCHAPTER D. FINANCIAL PROVISIONS

17 Sec. 9602.0401. AUTHORITY TO ISSUE REVENUE BONDS. (a) The
18 district may issue bonds payable from and secured by district
19 revenue to carry out any power conferred by this chapter. The bonds
20 must be authorized by a board resolution.

21 (b) The bonds must be issued in the manner and under the
22 terms of the resolution authorizing the issuance of the bonds.

23 Sec. 9602.0402. PROHIBITION ON TAXATION. The district may
24 not impose an ad valorem tax.

25 SECTION 2. (a) Not later than January 1, 2022, the Harris
26 County Commissioners Court, the city council of the City of
27 Houston, the county judge of Harris County, and the mayor of the

1 City of Houston shall appoint the initial members of the board of
2 the Lake Houston Dredging and Maintenance District as required by
3 Section 9602.0201, Special District Local Laws Code, as added by
4 this Act.

5 (b) At the first meeting of the board of directors of the
6 Lake Houston Dredging and Maintenance District, the directors shall
7 draw lots to determine which four directors serve a term of four
8 years and which three directors serve a term of two years.

9 SECTION 3. (a) The legal notice of the intention to
10 introduce this Act, setting forth the general substance of this
11 Act, has been published as provided by law, and the notice and a
12 copy of this Act have been furnished to all persons, agencies,
13 officials, or entities to which they are required to be furnished
14 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
15 Government Code.

16 (b) The governor, one of the required recipients, has
17 submitted the notice and Act to the Texas Commission on
18 Environmental Quality.

19 (c) The Texas Commission on Environmental Quality has filed
20 its recommendations relating to this Act with the governor, the
21 lieutenant governor, and the speaker of the house of
22 representatives within the required time.

23 (d) All requirements of the constitution and laws of this
24 state and the rules and procedures of the legislature with respect
25 to the notice, introduction, and passage of this Act are fulfilled
26 and accomplished.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2021.