

By: Creighton

S.B. No. 2524

A BILL TO BE ENTITLED

AN ACT

relating to the requirements and procedures for use of the flood infrastructure fund.

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

SECTION 1. Section 15.535, Water Code, is amended by adding Subsection (d) to read as follows:

(d) An eligible political subdivision may demonstrate compliance with the requirements of subsection (a)(1), (2), and (3) by providing written notice of the application, along with a copy of the application, to all potentially affected political subdivisions in the area. The notice must be provided at least 30 days before submittal of the final application to the board and include instructions for submittal of comments on the application. All comments received in accordance with this subsection must be included in the final application submitted to the board.

SECTION 2. Section 15.536, Water Code, is amended to read as follows:

Sec. 15.536. APPROVAL OF APPLICATIONS. On review and recommendation by the executive administrator, the board may approve an application only if the board finds that:

(1) the application and the assistance applied for meet the requirements of this subchapter and board rules;

(2) the application demonstrates compliance with this subchapter ~~[a sufficient level of cooperation among eligible~~

~~political subdivisions and includes all of the eligible political subdivisions substantially affected by the flood project]; and~~

(3) the taxes or other revenue, or both the taxes and other revenue, pledged by the applicant will be sufficient to meet all the obligations assumed by the eligible political subdivision.

SECTION 3. Section 15.537, Water Code, is amended to read as follows:

Sec. 15.537. RULES. (a) The board shall adopt rules necessary to carry out this subchapter, including rules:

(1) that establish procedures for an application for and for the award of financial assistance;

(2) for the investment of money; and

(3) for the administration of the infrastructure fund.

(b) The rules may not include a requirement to provide a written agreement among political subdivisions or a benefit cost analysis as a condition for approval of an application.

SECTION 4. The changes made by this Act apply only to an application submitted on or after the effective date of this Act.

SECTION 5. 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, 2023.