

# Legislative Wrap-Up Report

*80<sup>th</sup> Texas Legislature*



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## Texas Commission on Environmental Quality (TCEQ)

### General Appropriations Act

#### Funding & Method of Finance

	FY 2008-2009 Appropriations	Percent of Total
General Revenue	\$19 million	1.7 %
General Revenue-Dedicated	\$959 million	89 %
Federal Funds	\$85 million	8 %
Other	\$14 million	1.3%
<b>Total</b>	<b>\$1.078 Billion</b>	

Note: Amounts include appropriations (both increases and decreases) from contingency riders

#### Employee Issues

- ✓ FTEs
  - 2,942 in FY '08
  - 2,935 in FY '09
  
- ✓ Salary Increase – Across the Board
  - 2 percent increase beginning on September 1, 2007.
  - A second 2 percent increase beginning on September 1, 2008.

#### Contingency Riders

- ✓ SB 3: \$446,088 in '08 and \$447,878 in '09 in General Revenue and an additional 3 FTEs
  
- ✓ SB 1604: \$998,771 in '08 and \$897,931 in '09 in General Revenue, 11 FTEs transferred from DSHS to TCEQ, an additional \$471,388 in '08 and \$460,728 in '09 from the Waste Management Account #549 (fees to be collected and cost recovery) and 4 additional FTEs.
  
- ✓ HB 3554: \$468,090 in each fiscal year from PST Account #655 and an additional 7 FTEs.
  
- ✓ SB 1436: \$68,000 each year of the biennium is reduced from the Water Resource Management Account #153 and the TCEQ's FTE cap is reduced by 2.

#### Exceptional Item Requests Included in HB 1

- ✓ Increases General Revenue by \$6.06 million to support water-related programs – agency requested \$40 million
- ✓ Restores \$1.02 million in General Revenue for capitol budget items
- ✓ Restores \$2.9 million in administrative cuts
- ✓ Increases TERP appropriations by \$80.73 million
- ✓ Includes \$3.1 million for TERP administration (included in overall TERP appropriations)
- ✓ Includes \$7.5 million for Clean School Bus Program (included in overall TERP appropriations) – agency requested \$2 million
- ✓ Appropriates \$10 million for Local Air Initiative Grants (Clean Air Account #151) – agency requested \$20 million
- ✓ Includes \$528,464 for enhanced Edwards Aquifer-related activities
- ✓ Includes \$700,000 for Environmental Testing Lab Certification
- ✓ Includes \$1.73 million in capitol budget to replace vehicles

## Significant TCEQ Riders

- # 8 Air Quality Planning Grants - \$5.075 million
- #16 Low Income Repair Assistance, Retrofit & Accelerated Vehicle Retirement Program - \$90 million
- #21 Administrative Costs for Texas River Compact Commission - \$53,500
- #24 Unexpended Balance Authority within the Biennium
- #28 Emission Reduction Incentive Grants (ERIG) - \$297 million  
New Technology Research & Development Grants - \$36.2 million
- #32 North Bosque & Leon Watersheds Compost Project - \$98,853
- #33 Watermaster Program: appropriates all revenues from increase in fees that exceed Comptroller's Biennial Revenue Estimate

## Article IX Riders of Importance to TCEQ

- 4.06 Meals & Lodging Expenses while on state travel set not to exceed \$85 a day
- 5.08 Limitations on Out of State Travel
  - 125% of agency's 2000 travel expenditure; or
  - 100% of agency's 2000 travel expenditure plus \$10,000; or
  - 100% of agency's 2000 travel expenditure plus any excess approved by waiver.
- 18.02 Data Center Consolidation: FTEs for TCEQ will be reduced by 19.7 and is appropriated approximately \$14.6 million

## HB 15: FY 2007 Supplemental Appropriations for TCEQ

The following amounts are appropriated to the TCEQ for FY 2007:

- ✓ \$2.8 million from Solid Waste Disposal Account #5000 for costs to extinguish Helotes fire
- ✓ \$1.5 million from Solid Waste Disposal Account #5000 to clean up waste site in Ft. Worth (Walker Branch)
- ✓ \$200,000 from Account #549 to assist in the immediate implementation of SB1604 (transfer of radioactive waste programs from DSHS to TCEQ)
- ✓ \$108,858 from General Revenue and \$470,142 from TCEQ GR dedicated accounts for data center consolidation hardware upgrades and equipment transfer

**TCEQ Method of Financing\***

<b>Fund</b>	<b>FY 2008*</b> in millions	<b>FY 2009*</b> in millions
<b>General Revenue Fund</b>	<b>8.3</b>	<b>8.3</b>
<b>General Revenue Fund – Dedicated</b>		
Low Level Waste Acct. # 088	1.8	1.0
Used Oil Recycling Acct. # 146	0.9	0.9
Clean Air Acct. # 151	100.6	95.9
Water Resource Management Acct. # 153	45.5	44.8
Watermaster Administration Acct. # 158	1.15	1.15
TCEQ Occupational Licensing Acct. # 468	1.7	1.6
Waste Management Acct. # 549	41.1	40.8
Hazardous & Solid Waste Remediation Fee Acct. # 550	27.1	26.5
Petroleum Storage Tank Remediation Fee Acct. # 655	55.7	21.7
Solid Waste Disposal Acct. # 5000	10.9	10.9
Environmental Testing Laboratory Accreditation Acct. # 5065	0.44	0.44
Texas Emissions Reduction Plan Acct. # 5071	167	171
Dry Cleaning Facility Release Acct. # 5093	7.2	7.2
Operating Permit Fees Acct. # 5094	28.9	28.9
<b>Total General Revenue Fund – Dedicated</b>	<b>490.1</b>	<b>452.8</b>
<b>Federal Funds</b>	<b>43.0</b>	<b>41.7</b>
<b>Other Funds</b>	<b>7.4</b>	<b>7.2</b>
<b>Grand Total</b>	<b>548.9</b>	<b>509.9</b>

\* Does not include contingency riders

**Appropriations by Strategies\***

<b>Fund</b>	<b>2008</b> in millions	<b>2009</b> in millions
Assessment, Planning and Permitting	341.5	339.3
Drinking Water & Water Utilities	13.7	13.4
Enforcement & Compliance Support	53.4	52.2
Pollution Cleanup	97	63
Texas River Compact Commissions	0.356	0.356
Indirect Administration	42.9	41.8

\* Does not include contingency riders



## Appropriations Bills

**HB 1** by Chisum Senate Sponsor: Ogden

**Relating to appropriations for the 2008-2009 biennium.**

General Appropriations Bill. TCEQ Appropriation \$1.078 billion.

**Effective Date:** September 1, 2007

**HB 15** by Chisum Senate Sponsor: Ogden

**Relating to making supplemental appropriations and reductions in appropriations.**

Makes supplemental appropriations out of the General Revenue (GR) Fund for the fiscal year ending August 31, 2007. This bill would decrease GR appropriations made by the 79th Legislature, Regular Session (FY 2006-2007) by an equal amount. Includes \$2.8 million from Account 5000 for costs to extinguish Helotes fire; \$1.5 million to clean up the Walker Branch facility from Account #5000; \$200,000 to assist in the implementation of SB 1604 (transfer of radioactive waste programs from DSHS to TCEQ) from Account #549; and an \$579,000 for data center consolidation costs.

**Effective Date:** June 15, 2007

**SB 1719** by Ogden House Sponsor: Chisum

**Relating to directing payment, after approval, of certain miscellaneous claims and judgements against the state out of funds designated by this Act.**

Comptroller can not make a payment for any claim under this Act in excess of \$50,000 or an aggregate of claims in excess of \$50,000.

A claim must be filed with the Comptroller within eight years after the payment was originally due.

Appropriates approximately \$54,000 from the following TCEQ dedicated accounts:

Section 10 – Air Control Board Account #102;

Section 12 – Clean Air Account #151;

Section 13 - Water Resource Management Account;

Section 20 - Waste Management Account #549;

Section 21 - Superfund Account #550; and

Section 22 - PST Account #655.

**Effective Date:** September 1, 2007

## Agency Administration

**HB 119** by **Brown, F.** Senate Sponsor: **Ogden**

**Relating to the exemption from competitive bidding for certain purchases.**

Requires competitive bidding for a state agency for purchases that exceed \$5,000 or is made under a written contract.

**Effective Date:** September 1, 2007

**HB 863** by **Cook, B.** Senate Sponsor: **Ellis**

**Relating to the exemption of certain persons from the requirement that a person who requires disclosure of a social security number adopt a privacy policy.**

Exempts certain persons holding an accountant license or affiliated with an accountant from the list of persons or entities required to adopt a policy pertaining to the disclosure of Social Security numbers.

**Effective Date:** September 1, 2007

**HB 899** by **Smith, W.** Senate Sponsor: **Deuell**

**Relating to the operation and functions of the Texas Board of Professional Engineers and the regulation of the practice of engineering.**

Removes conflicting statutory language, adds a member to the board, reduces the professional fee for license holders over 65 years of age, clarifies results to be reported to licensing candidates, clarifies when an engineer must use a seal, removes prohibitions on reporting investigation results by a board member to other board members, and repeals Section 1001.109 (Board Secretary's Duties and Salary), Occupations Code.

**Effective Date:** September 1, 2007

**HB 1237** by **Farabee** Senate Sponsor: **Hegar**

**Relating to the confidentiality of certain information of a person licensed to practice law by governmental bodies.**

Clarifies current law to provide that a licensed attorney may choose to restrict public access to the attorney's home address, home telephone number, email address, Social Security number, and date of birth.

**Effective Date:** September 1, 2007

**HB 1497** by **Van Arsdale** Senate Sponsor: **Harris**

**Relating to the consequences of the failure by a person requesting information under the public information law to timely respond to certain written communications from a governmental body.**

Provides certain conditions by which a written inquiry communication to which a requestor does not respond is considered to constitute a withdrawal of the request by the requestor. Also prohibits the requestor's request, if it included the requestor's physical or mailing address, from being withdrawn in such a manner unless the applicable entity sends the permissible inquiry to that address by certified mail.

**Effective Date:** September 1, 2007

**HB 1652** by Macias Senate Sponsor: Fraser

**Relating to the provision of forms for personal financial statements filed with the Texas Ethics Commission.**

Removes the requirement that the Texas Ethics Commission mail paper forms to registrants and requires the commission to mail a notice concerning the necessity to file a personal financial statement. This bill also authorizes the commission to charge a fee to cover the costs of mailing paper forms if such forms are requested.

**Effective Date:** June 15, 2007

**HB 2061** by Keffer Senate Sponsor: Williams

**Relating to the acquisition or disclosure of the social security number of a living person by a governmental body, including by a district or county clerk.**

Provides that a county or district clerk is not liable for the disclosure of an SSN contained in a document filed with the county or district clerk. It requires, upon written request of an individual, the redaction, from documents specified by the individual, of all but the last four numbers of an SSN unless another law requires the full SSN to be maintained on the document. The bill requires the clerks to accept documents for filing even if they contain SSNs and does not require the clerk to confirm that a document preparer actually redacted an SSN from a document.

**Effective Date:** March 28, 2007

**HB 2117** by Parker Senate Sponsor: Harris

**Relating to the liability of certain persons who administer emergency care.**

Provides that a person who administers emergency care using an automated external defibrillator or as a volunteer is not liable in civil damages.

**Effective Date:** June 15, 2007

**HB 2127** by Murphy Senate Sponsor: Williams

**Relating to the operation of all-terrain vehicles in connection with utility work.**

Authorizes utility workers to drive all-terrain vehicles on a public street, road, or highway that is not an interstate or limited access highway if the operation of the vehicle is in connection to utility work.

**Effective Date:** September 1, 2007

**HB 2365** by Truitt Senate Sponsor: Duncan

**Relating to financial accounting and reporting for this state and political subdivisions of this state.**

Establishes an alternative, statutorily-based, and comprehensive basis of accounting for Texas governments since Governmental Accounting Standards Board (GASB) procedures as issued in Statement No. 45 (GASB 45) could lead to inaccurate and inappropriate reporting of “other post employment benefits” obligations in Texas.

**Effective Date:** June 15, 2007

**HB 2564** by Hancock Senate Sponsor: Wentworth

**Relating to the authority of a governmental body to require the payment of a charge before complying with certain requests for the production of public information or for copies of public information.**

Authorizes a governmental body to establish a reasonable time limit on the amount of time that personnel are required to spend producing information in compliance with a request for public information. The bill also provides a process in which the governmental body may charge a fee if the time limit required for information production is exceeded.

**Effective Date:** June 15, 2007

**HB 2589** by McCall Senate Sponsor: Harris

**Relating to the imposition of a civil penalty in connection with a self-corrected statement, registration, or report filed with the Texas Ethics Commission.**

Clarifies that a correction to certain Texas Ethics Commission statements, registrations, and reports is not considered late if the error was made in good faith and the report is corrected within 14 days of discovering the error. Furthermore, the person is required to sign an affidavit stating that the error was made in good faith.

**Effective Date:** September 1, 2007

**HB 2618** by Guillen Senate Sponsor: Zaffirini

**Relating to authorizing political subdivisions to lease property owned by the political subdivision to other governmental entities without following competitive purchasing procedures.**

Authorizes counties to lease directly to a governmental entity without being required to comply with certain competitive bidding procedures.

**Effective Date:** May 25, 2007

**HB 2839** by King, S. Senate Sponsor: Fraser

**Relating to the deadline for filing a personal financial statement by persons appointed to certain state offices.**

Extends the number of days that newly appointed officers have to file their personal financial statements from 14 days to 30 days.

**Effective Date:** May 25, 2007

**HB 2918** by Isett Senate Sponsor: Deuell

**Relating to state information technology contracting and procurement practices.**

Requires that each state agency prepare a business case and statewide impact analysis for each proposed major contract, as defined as a contract with a value of at least \$1 million under which a vendor will perform or manage an outsourced function or process. Requires state agencies to develop, for each major contract, a project plan and file the plan with the Quality Assurance Team and the Texas Building and Procurement Commission (TBPC) before the agency spends more than 10 percent of allocated funds for the major contract. Requires state agencies to purchase an automated information system using DIR information technology contracts or use a purchasing method designated by TBPC to obtain the best value for the state, including a request for offers method.

**Effective Date:** June 15, 2007

**HB 3106** by Isett Senate Sponsor: Hegar

**Relating to the implementation of enterprise resource planning by the comptroller.**

Creates Enterprise Resource Planning (ERP), a system that integrates financial resources (which includes requisitioning and purchasing of goods and services, and generally addresses full financial life cycles from budget through financial statement reporting) and human resources (employee benefits, applicant tracking, position control, leave accounting, and payroll). This bill also ensures that the comptroller has clear standard-setting authority for ERP implementation.

**Effective Date:** September 1, 2007

**HB 3290** by Otto Senate Sponsor: Nichols

**Relating to expanding the scope of an audit by the state auditor when the state auditor finds evidence of gross mismanagement.**

Requires the State Auditor's Office, in the course of an audit of the operations of a state agency or institution, to expand the scope of the audit to other aspects of the agency's operation upon a finding of gross mismanagement or grossly improper management oversight practices.

**Effective Date:** September 1, 2007

**HB 3430** by Strama Senate Sponsor: Hegar

**Relating to the availability of information about state expenditures and rules, including the creation of a state database containing information on state expenditures, and to certain comptroller reports, and to certain amounts received by institutions of higher education.**

Requires the Comptroller, with the cooperation of other state agencies, to create a database of state expenditures, including contracts and grants, the amount, date, payor, and payee of expenditures, and a listing of state expenditures by object, down to the warrant or check register level and, as appropriate, the class and item levels. Requires each state agency that maintains a generally accessible Internet site to provide a link to the expenditure database. Requires the Legislative Budget Board to maintain an internet database of state contract documents for state agency contracts exceeding \$50,000. Modifies state agency policies regarding the impact upon small business from state agency rule changes.

**Effective Date:** October 1, 2007

**HB 3560** by Swinford Senate Sponsor: Janek

**Relating to transferring to the comptroller the duties of the Texas Building and Procurement Commission that do not primarily concern state facilities and renaming the commission the Texas Facilities Commission.**

Divides the duties and responsibilities of the Texas Building and Procurement Commission (TBPC) between the Comptroller of Public Accounts (Comptroller) and a new state agency, to be named the Texas Facilities Commission (TFC). All powers and duties of TBPC that relate to the following areas would be performed by TFC: 1. charge and control of state buildings, grounds, or property; 2. maintenance or repair of state buildings, grounds, or property; 3. construction of a state building; 4. purchase or lease of buildings, grounds, or property by or for the state; 5. child care services for state employees; 6. and surplus and salvage property. All other powers and duties of TBPC would be transferred to the Comptroller, including: 1. statewide procurement; 2. training and compliance; 3. statewide HUB program; 4. travel procurement; 5. fleet management; and 6. support services.

**Effective Date:** September 1, 2007

**HB 3769** by Puente Senate Sponsor: Averitt

**Relating to the eligibility of an employee of a political subdivision of this state to be a member of the governing body of certain state agencies.**

Allows an employee of a political subdivision to be a member of the TCEQ or the TWDB. Specifically, the bill creates an exception to the current law that prohibits a person from being a Commissioner or Board member if the person or the person's spouse is employed by or participates in the management of an entity regulated by the respective agency or receiving money from the respective agency.

**Effective Date:** June 15, 2007

**SB 99** by Zaffirini House Sponsor: Guillen

**Relating to the identification of and provision of assistance to colonias and for tracking the progress of certain state-funded projects that benefit colonias.**

Directs certain state agencies to report information to the Secretary of State's office regarding the status of water, wastewater, and other infrastructure projects in colonias. The bill requires the Secretary of State to compile information received, prepare a report about the progress of state-funded colonia projects, and report to the legislature.

**Effective Date:** June 15, 2007

**SB 129** by West House Sponsor: Hilderbran

**Relating to reporting of gifts of cash or cash equivalent to public officials.**

Requires that an individual filing a financial statement include a statement of value for a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate.

**Effective Date:** September 1, 2007

**SB 175** by Wentworth House Sponsor: Parker

**Relating to the calculation of certain deadlines under the public information law.**

Clarifies that the term "business day" is to be used to calculate certain deadlines and makes conforming changes to other sections currently using the term "working day."

**Effective Date:** June 15, 2007

**SB 178** by Wentworth House Sponsor: Rose

**Relating to working papers and electronic communications of State Office of Administrative Hearings administrative law judges.**

Exempts administrative law judges' electronic communications and notes (including electronic communications) that contain their questions and deliberations from disclosure under the Public Information Act.

**Effective Date:** June 15, 2007

**SB 324**      **by Deuell**                      **House Sponsor: Chisum**

**Relating to contingent payment clauses in certain construction contracts.**

Clarifies the circumstances in which contingent payment clauses will not be enforceable under Texas law.

**Effective Date:** September 1, 2007

**SB 470**      **by Brimer**                      **House Sponsor: Keffer**

**Relating to the submission of uniform financial reports.**

Authorizes the comptroller of public accounts to design a new data collection system that will allow all agency financial data to be collected and reported in a uniform structure. Also gives the comptroller's office rulemaking authority to implement the system.

**Effective Date:** May 18, 2007

**SB 563**      **by Ogden**                      **House Sponsor: Madden**

**Relating to assistance by the attorney general in the prosecution of certain offenses involving the use, unlawful appropriation, or misapplication of state property or unlawful conduct in certain state-funded facilities or on other state property; providing a criminal penalty.**

Authorizes the attorney general to seek concurrent jurisdiction with the consent of the local prosecutor in certain cases involving the use, unlawful appropriation, or misapplication of state property; offenses which have an element of the offense occur on state property; or cases arising under Chapter 39, Penal Code, which deal with abuse of office. Increases the penalty for the offense of improper sexual activity with a person in custody under Section 39.04(a)(2), Penal Code, if the offense is committed against a juvenile offender detained in or committed to a correctional facility the operation of which is financed primarily with state funds.

**Effective Date:** June 15, 2007

**SB 608**      **by Ellis**                      **House Sponsor: Callegari**

**Relating to restrictions on state contracts with certain contractors.**

Prohibits a state agency from accepting bids or awarding contracts to persons or businesses that have been involved in contract violations or have been assessed penalties with regard to federal contracts awarded for restoration efforts with regard to Hurricane Katrina, Hurricane Rita, or any other natural disaster occurring after September 24, 2005, and provides that such ineligibility lasts for five years after the violation of federal law or penalty assessment. It also authorizes the state to immediately terminate a contract if a state agency determines that the vendor is currently ineligible under this statute.

**Effective Date:** September 1, 2007

**SB 687**      **by Shapleigh**                      **House Sponsor: Solomons**

**Relating to the use of TexasOnline by state agencies and local governments.**

Enhances access to TexasOnline by accepting person-to-person transactions, automated processes that facilitate person-to-person transactions, and personal transactions conducted at an automated kiosk. This bill also authorizes TexasOnline to be used to track credit card and cash payments, and requires the Department of Information Resources to adopt rules to ensure consistency between TexasOnline and individual agency websites.

**Effective Date:** June 15, 2007

**SB 757** by Hegar House Sponsor: Callegari

**Relating to the planning and management of state telecommunications services by the Department of Information Resources.**

Transfers some of the authority of the council to the board of directors of the Department of Information Resources (DIR) and also requires the council to consult with DIR under certain circumstances.

**Effective Date:** September 1, 2007

**SB 908** by Brimer House Sponsor: McClendon

**Relating to the continuation and functions of the State Office of Risk Management.**

Continues the State Office of Risk Management (SORM) for 12 years. Requires state agencies that are not part of the Governor's Emergency Management Council and those that are not part of the State Data Center program to develop business continuity plans with the assistance of SORM. Requires SORM to provide state agencies return-to-work coordination services for injured employees and collect and analyze data concerning lost time and return to work outcomes of state agencies. Requires SORM to study options to prepare state agencies in the event of catastrophic claims. Requires SORM, the Texas Building and Procurement Commission, and the State Fire Marshal's Office to exchange safety information.

**Effective Date:** September 1, 2007

**SB 924** by Brimer House Sponsor: Solomons

**Relating to the rules and policies adopted by state agencies regarding engineering or architectural errors or omissions.**

Requires a rule or policy adopted by a state agency, relating to the recovery of costs arising from an engineering or architectural error or omission by a private design professional on a project, to provide for certain actions, meet certain standards, and provide for certain processes and recognitions.

**Effective Date:** September 1, 2007

**SB 1306** by Wentworth House Sponsor: Goolsby

**Relating to the attendance by a quorum of a governmental body at certain events under the open meetings law.**

Clarifies existing law to include ceremonial events and press conferences within the exceptions to meetings under the Texas Open Meetings Act. Provides that no formal action may be taken at these events, in conformance with the current requirements of the Texas Open Meetings Act.

**Effective Date:** May 22, 2007

**SB 1310** by Wentworth House Sponsor: Rose

**Relating to the reimbursement of travel expenses for state employees.**

Requires state agencies to process travel reimbursement requests within 45 days of submission, if the expenses are not in dispute. Also requires state agencies to reimburse state employees for reimbursable travel expenses within 30 days of any resolution of a dispute between the agency and employee in regard to travel expenses.

**Effective Date:** June 15, 2007



**SB 1615** by **Averitt** House Sponsor: **Isett**

**Relating to the collection of delinquent obligations owed to the state.**

Authorizes the attorney general to authorize a requesting state agency to employ, retain, or contract, subject to approval by the attorney general, and subject to the agency's compliance with applicable guidelines established by the attorney general, one or more persons, to collect the obligation; or if the attorney general determines it to be economical and in the best interest of the state, to contract with one or more persons to collect the obligation.

**Effective Date:** September 1, 2007

**SB 1619** by **Lucio** House Sponsor: **Morrison**

**Relating to the confidentiality of certain employment information, including unemployment compensation information; providing criminal penalties.**

Permits the Texas Workforce Commission to conform to federal regulations by adopting rules consistent with the U.S. Department of Labor Final Rules regarding Confidentiality and Disclosure of State Unemployment Compensation Information collected and maintained by the Texas Workforce Commission.

**Effective Date:** September 1, 2007

**SB 2031** by **Odgen** House Sponsor: **Chisum**

**Relating to requiring legislative consent or approval of the settlement or compromise of a claim or action against the state that will involve state expenditures exceeding a certain amount.**

Specifies that the attorney general or other attorney representing this state may not enter into a settlement of a claim or action against this state without the consent or approval of the legislature if the settlement would exceed \$25 million during a state fiscal biennium.

**Effective Date:** June 15, 2007

## Employment & Benefits

**HB 957** by Orr Senate Sponsor: Ellis

**Relating to participation by certain state employees in a default investment product under a deferred compensation plan.**

Makes participation in the state's 401(k) plan automatic for any employee hired after January 1, 2008, unless the employee elects not to participate. The payroll deduction is made automatically and written consent is not required.

**Effective Date:** June 15, 2007

**HB 1005** by Giddings Senate Sponsor: Van de Putte

**Relating to the timely submission of a claim for payment by a workers' compensation health care provider.**

Provides that a health care provider of workers' compensation health care services does not forfeit his or her right to reimbursement if the claim for payment is timely filed, but erroneously filed with the wrong insurer. The bill also allows extension of the deadline by agreement of the parties or in catastrophic situations.

**Effective Date:** September 1, 2007

**HB 1275** by McClendon Senate Sponsor: Uresti

**Relating to the appeal by an individual entitled to a veteran's preference of certain adverse employment decisions.**

Authorizes veterans entitled to employment preferences under Chapter 657, Government Code, who are aggrieved by an employment decision, to appeal such decision by bringing a cause of action against the public entity.

**Effective Date:** September 1, 2007

**HB 1297** by Delisi Senate Sponsor: Nelson

**Relating to the creation of the state employee wellness program.**

Establishes a State Employee Worksite Wellness program. Creates a Worksite Wellness Advisory Board as a function of the Department of State Health Services (DSHS). Requires the DSHS to designate a wellness coordinator to develop a model wellness program and to assist state agencies with wellness initiatives.

**Effective Date:** September 1, 2007

**HB 2120** by Deshotel Senate Sponsor: Williams

**Relating to the operation of the unemployment compensation system and computation of an individual's unemployment compensation benefits; providing a criminal penalty.**

Allows the Texas Workforce Commission to count wages owed as benefit wage credits in the individual's base period of employment even if payment of those wages has not yet been made. The bill conforms state law to newly issued federal unemployment compensation confidentiality regulations.

**Effective Date:** June 15, 2007

**HB 2549** by **Smith, T.** Senate Sponsor: **Averitt**

**Relating to extension of group life insurance to eligible children.**

Authorizes a carrier issuing group life coverage to extend coverage to a natural or adopted child of an insured person who is unmarried and younger than 25 years of age or physically or mentally disabled and under the parents' supervision, or to a natural or adopted grandchild of an insured person who is unmarried, younger than 25 years of age, and a dependent of the insured person for federal income tax purposes at the time the application for coverage of the child is made. Allows dependent coverage at the insured policyholder's request that is consistent with coverage provided by accident and health policies.

**Effective Date:** September 1, 2007

**HB 3470** by **Delisi** Senate Sponsor: **Williams**

**Relating to the program of supplemental health coverage for individuals eligible under the TRICARE military health system offered through the Employees Retirement System of Texas.**

Authorizes the Employees Retirement System (ERS) to contract with an entity that is not an eligible insurance carrier, but is authorized to offer health insurance to provide ERS health plan members a TRICARE supplement.

**Effective Date:** June 15, 2007

**SB 458** by **Watson** House Sponsor: **Giddings**

**Relating to workers' compensation medical benefits for certain prosthetic or orthotic devices.**

Ensures workers' compensation carriers treat artificial limbs as natural limbs.

**Effective Date:** September 1, 2007

**SB 471** by **Brimer** House Sponsor: **Eiland**

**Relating to certain information reporting requirements regarding workers' compensation claims.**

Requires the collection of workers' compensation data through rule instead of statute and removes specific data elements and reporting requirements in statute.

**Effective Date:** September 1, 2007

**SB 1761** by **Uresti** House Sponsor: **Deshotel**

**Relating to the pilot program to provide health services to state employees in state office complexes.**

Amends the statute authorizing the pilot program by allowing a physician assistant to provide on-site health services. When the pilot program was created, it only allowed for a nurse practitioner to provide health services.

**Effective Date:** September 1, 2007

## Information Resources

**HB 66** by Leibowitz Senate Sponsor: Watson

**Relating to power management software for state agencies.**

Requires the Department of Information Resources (DIR) to select by competitive bid a power management software program for state computer networks and personal computers. DIR would determine if the software would benefit a state agency and, if so, the agency would acquire and use the software for its networked personal computers.

**Effective Date:** September 1, 2007

**HB 921** by Delisi Senate Sponsor: Ellis

**Relating to the sharing of information among state agencies.**

Adds a requirement that each state agency's strategic plan be consistent with the state strategic plan and include a statement how the agency has implemented any applicable data sharing standards developed by the Texas Health Care Policy Council. Requires the Council to develop information sharing standards in consultation with the Department of Information Resources among participating agencies, defined as a state agency that provides social services, mental health services, substance abuse services, or health services.

**Effective Date:** June 15, 2007

**HB 1788** by Pitts Senate Sponsor: Hegar

**Relating to the planning, reporting, and review of the state's information resources.**

Consolidates state agencies' information resources planning and analysis and performance reporting.

**Effective Date:** September 1, 2007

**HB 1789** by Pitts Senate Sponsor: Hegar

**Relating to the management and oversight of information resources projects.**

Defines and requires the use of information technology (IT) project management practices. Requires state agencies to use IT project management practices that are consistent with Department of Information Resources (DIR) guidelines, and clarifies the role of the Quality Assurance Team, which includes the Legislative Budget Board, State Auditor's Office, and DIR, regarding the evaluation of major information resources projects. Also deletes the Electronic Government Program Management Office as a required entity within DIR.

**Effective Date:** September 1, 2007

## Agency Programs Air

**HB 160**      **by Menendez**                      **Senate Sponsor: Wentworth**

**Relating to a study on the relocation of freight trains away from residential areas of the state.**

Requires the Texas Department of Transportation to conduct a study to determine the economic feasibility of relocating tracks that carry freight trains with hazardous materials away from residential areas of this state. Authorizes the TCEQ to include as an eligible infrastructure project for TERP funds, a project to reduce air pollution and engine idling by relieving congestion at a rail intersection located in a nonattainment or near nonattainment area.

**Effective Date:** June 15, 2007

**HB 1090**      **by Swinford**                              **Senate Sponsor: Jackson**

**Relating to the establishment of a program by the Department of Agriculture to make grants to encourage the construction of facilities that generate electric energy with certain types of agricultural residues, waste, debris, or crops and to the state's goal for generating renewable energy.**

Requires that the Texas Department of Agriculture (TDA) with the assistance of the TCEQ and the Public Utility Commission (PUC), establish an Agricultural Biomass and Landfill Diversion Incentive Program to provide grants to farmers, loggers, and diverters who provide agricultural biomass to facilities that: are located in the state; placed in service after August 31, 2009; generate electric energy sold to a third party using agricultural biomass; and use the best available emissions control technology.

**Effective Date:** September 1, 2007

**HB 1254**      **by Bonnen**                                  **Senate Sponsor: Averitt**

**Relating to environmental permitting fees and electronic reporting.**

Authorizes TCEQ to adjust fees to encourage electronic reporting and the use of TCEQ's electronic document receiving system.

**Effective Date:** September 1, 2007

**HB 2293**      **by Noriega**                                  **Senate Sponsor: Watson**

**Relating to a requirement that state agencies purchase low-emissions vehicles as a minimum percentage of their vehicles purchased.**

Requires state agencies to purchase low-emission and fuel-efficient vehicles. Specifically, this bill requires that 10 percent of new vehicles purchased by state agencies be rated by the Environmental Protection Agency as a Tier II, Bin 3 vehicle with a gas greenhouse score of at least eight. Vehicles that fall under this category have a combined city/highway fuel economy of at least 30 miles per gallon.

**Effective Date:** September 1, 2007

**HB 2417** by Swinford Senate Sponsor: Averitt

**Relating to the responsibility for and management of the fuel ethanol and biodiesel production incentive program.**

Transfers all responsibilities, management, administration and oversight of the Fuel Ethanol and Biodiesel Production Incentive Program from the Economic Development and Tourism Division of the Office of the Governor to the Department of Agriculture.

**Effective Date:** September 1, 2007

**HB 2565** by Madden Senate Sponsor: Carona

**Relating to the establishment of an advisory committee on motor vehicle inspections related to safety and emissions.**

Amends the Transportation Code by establishing an advisory committee on motor vehicle inspections related to safety and emissions. Changes the number of motor vehicle inspection advisory committee members from six to nine. Increases the number of members representing inspection station owners and operators from one to four, with two being from areas with emissions testing and two from safety only counties. The bill also adds one member to represent independent vehicle equipment repair technicians. The advisory committee will advise and make recommendations relating to the vehicle inspection program which is established and managed by the TCEQ and the Department of Public Safety (DPS). Requires the selection of the committee's presiding officer rotate alternately between TCEQ and DPS and that the committee must meet at least twice a year.

**Effective Date:** September 1, 2007

**HB 2608** by Hughes Senate Sponsor: Eltife

**Relating to funding for applied research for a clean coal project or certain other projects for the generation of electricity from coal.**

Directs the Texas Higher Education Coordinating Board to use money available from legislative appropriations -- including gifts, grants, and donations -- to support applied research related to clean coal projects for the generation of electricity from coal at eligible institutions.

**Effective Date:** June 15, 2007

**HB 3070** by Strama Senate Sponsor: Watson

**Relating to a study of methods for increasing the availability of certain information on energy efficiency of certain residential property.**

Requires the State Energy Conservation Office to conduct a study to examine methods for introducing information into the residential real property marketplace regarding the energy efficiency of a residential real property.

**Effective Date:** September 1, 2007

**HB 3693** by Straus Senate Sponsor: Fraser

**Relating to energy demand, energy load, energy efficiency incentives, energy programs, and energy performance measures.**

Proposes energy efficiency mechanisms intended to provide near-term reductions in consumption and demand that should protect the reserve margin and avoid crises during peak energy demand. Enhances existing energy efficiency programs, enables more customer demand management, updates building energy codes, and requires state agencies to purchase more efficient equipment and appliances.

**Effective Date:** September 1, 2007

**HB 3732** by Hardcastle Senate Sponsor: Averitt

**Relating to the implementation of advanced clean energy projects and other environmentally protective projects in this state.**

Creates the Advanced Clean Energy Project Grant and Loan Program to encourage the development of ultraclean energy projects that produce reliable and affordable electric power in an environmentally protective manner, to be administered by the State Energy Conservation Office (SECO) located within the Office of the Comptroller. Creates the new General Revenue-Dedicated Advanced Clean Energy Project (ACEP) Account within the General Revenue Fund. Money in the account could only be appropriated to the SECO to award grants or make or guarantee loans under the program.

Requires the TCEQ to establish a permitting procedure for advanced clean energy projects. The TCEQ would also be required to establish a nonexclusive list of facilities, devices or methods for the control of air, water or land pollution. The bill provides various forms of tax relief, abatement, exemptions, and property appraisal limitations for advanced clean energy projects. The Railroad Commission and the TCEQ would be responsible for approving the enhanced recovery tax exemption applications.

Requires SECO to establish the advanced clean energy grant and loan program by January 1, 2008. Requires the TCEQ to adopt rules relating to the advanced clean energy project and rollback relief by January 1, 2008. The provision relating to the issuance of general obligation bonds by the TPFA would take effect only if the constitutional amendment proposed by the 80th Legislature, Regular Session, 2007, authorizing the issuance of general obligation bonds to provide and guarantee loans to encourage the use of carbon-free hydrogen energy were approved by the voters.

**Effective Date:** June 15, 2007

**SB 12** by Averitt House Sponsor: Bonnen

**Relating to programs for the enhancement of air quality, including energy efficiency standards in state purchasing and energy consumption; providing penalties.**

For TCEQ, the legislation made changes to two air quality programs, Low Income Repair Assistance and Accelerated Vehicle Purchase (LIRAP) and the Texas Emissions Reduction Plan (TERP).

Significant changes to LIRAP include:

- Requires replacement vehicles to be qualifying vehicles defined as a current model year or two years older.
- Establishes criteria to participate in LIRAP to include vehicles owners with income levels 300 percent of the federal poverty level.
- Allows TCEQ to extend replacement vehicle provisions to gasoline powered vehicles that passed the emissions test but are over 10 years old. The owner is still required to meet the financial criteria.
- Allows TCEQ to extend replacement vehicle provisions to vehicles that passed the emissions test, but would not have passed if the more stringent cut points were in place. The owner is still required to meet the financial criteria.
- Eligible vehicle owners will receive \$3,000 for a replacement vehicle that is the current model year or two years older and will receive \$3,500 for a hybrid vehicle that is the current model year or one year older.
- Requires in addition to the model year requirements that replacement vehicle: must be in BIN 5; weigh less than 10,000 pounds; and its total cost cannot exceed \$25,000.

- Prohibits counties from spending more than 10% of LIRAP funds on administrative expenses.
- Requires participating counties to use electronic fund transfers and these funds must be provided to the dealer no later than five business days after proof of sale is given.
- Requires the TCEQ to develop rules that include a mandatory procedure outlined in the bill which includes information about negotiations, requirements of dealers, etc..
- Provides a definition of “total cost” to not include state and federal taxes.
- Provides information regarding requirements addressing dismantling of replaced vehicles and requires the TCEQ to develop a rule by January 1, 2008 defining “emissions control equipment” and “engine”
- Requires that a participating automobile dealer must be located in the state.
- Requires TCEQ, by January 1, 2008, to determine if a lower cut point standard required under the I/M program would be in the best interest of the public health & welfare.

Significant changes to TERP include:

- Extends TERP until 2013.
- Extends all TERP fees through 2013 and the TCEQ, not the Comptroller, controls the TERP Account #5071.
- Maintains the current allocation of the TERP Account: 87.5% for Emission Reduction Incentive Grants (ERIG); 9.5% for NTRD; 1.5% for TCEQ administration of ERIG; and 1.5% for TEES (A&M).
- Requires TxDOT to reimburse the TERP Account an equivalent amount of the vehicle title fee revenue collected under TERP but deposited to the Texas Mobility Fund from 2009 thru 2015 – unlike the other TERP fees, the vehicle title fee for TERP does not sunset in 2013.
- Allows TCEQ to hire consultants to assist in the timely review of TERP applications.
- Allows the TCEQ to determine portions of highways and roadways located outside a nonattainment area or affected county to be included in the percentage of use requirement (75%).
- Increases the cost-effectiveness cap from \$13,000 to \$15,000.
- Adds marine vessels to the list of eligible infrastructure projects.
- Allows TCEQ to award grants to other state agencies to support idle reduction technologies.
- Requires the TCEQ, in evaluating funding for an infrastructure project, to encourage the use of electric power while a vehicle is parked at state’s ports and border crossings in affected areas.
- Requires the TCEQ to provide an Internet-based application process for rebate program by 6/1/08 or provide a report to the Legislature on this process by 12/31/07.
- Requires the Commission to notify applicants of changes to the rebate grant process 30 days before changes become effective.
- Extends eligibility to receive NTRD grants to institutions of higher education.
- Establishes membership requirements for the Board of the nonprofit organization receiving NTRD grant funds.
- Allows the TCEQ to award an NTRD grant to an institution of higher education to operate a testing facility.
- Requires the nonprofit organization to: submit a budget to TCEQ for approval; limit to 10% the amount of grant funds that can be used for administrative expenses; and comply with open meetings requirements
- Requires that NTRD grant contracts receive the consent of the TCEQ Commission or its executive director.

Changes made to grants issued by TCEQ to local communities for air initiative activities:

- The sixteen counties participating in LIRAP are eligible to receive these grants which are funded from Account #151 (Clean Air Account)
- The total grant amount awarded cannot exceed \$5 million a year and require a 50/50 match.
- Establishes the use of the local grants to include: expand AirCheck Texas and smoking vehicle program; local law enforcement efforts to address counterfeit inspection stickers; enhance transportation system improvements; and development & implementation of air control strategies to assist local areas comply with state & federal air quality rules and regulations.
- Does not allow counties to use these funds for call center management, invoice analysis, education, oversight or advertising.

Solar energy demonstration program

- Establishes a grant program, with specified criteria under which the PUC would provide fund for a solar energy demonstration program.
- Requires PUC to submit a report to the Legislature summarizing the status of the grants program.

Energy efficiency programs

- Amends the energy efficiency programs administered by the State Energy Conservation Office (SECO). SECO has the authority to revise standards to improve residential or commercial energy efficiency and air quality.



- Expands to state agencies and institutions of higher education the requirement to meet energy efficiency standards to reduce electricity consumption by five percent each year for six years beginning on September 1, 2007.
- Establishes energy efficiency standards for state agency purchases based on the federal energy conservation standards under the Energy Policy and Conservation Act or federal regulations adopted under the federal act, or the federal Energy Star standards designated by the EPA and DOE.
- Directs TBPC to develop and update a list of equipment and appliances that meet the new energy efficiency standards.

Several other issues include:

- Limits TCEQ's ability to restrict vehicle idling;
- Extends the public notice requirement to state and certain local officials for applications for concrete batch plants; and
- Provides violations the TCEQ cannot include in the enforcement action if the initiation of the Clean Air Act enforcement action was based on information provided by a person.

**Effective Date:** June 8, 2007

**SB 831** by Ellis                      **House Sponsor: Straus**

**Relating to energy savings performance contracts.**

Extends the maximum duration of performance contracts from 15 years to 20 years from the final date of installation or the average useful life of the energy or water conservation or usage measures. Requires professional engineers who review performance contracts to have a minimum of three years of experience in energy calculation and review, not be an officer or employee of an offeror for the contract under review, and not otherwise associated with the performance contract under review.

**Effective Date:** June 15, 2007

**SB 1665** by Averitt                      **House Sponsor: Bonnen**

**Relating to regulation of emissions from residential water heaters.**

Prohibits the TCEQ from adopting or enforcing a rule, determination, or order that relates to emissions of residential water heaters that is below 40 nanograms of NO<sub>x</sub> per joule unless a lower standard is established by a federal statute or rule. Repeals any TCEQ rule, determination, or order existing on or before the effective date of this subsection related to emission specifications for residential water heaters that is more stringent than the 40 nanograms of NO<sub>x</sub> per joule standard.

**Effective Date:** September 1, 2007

**SB 1672** by Averitt                      **House Sponsor: Bonnen**

**Relating to nitrogen oxide allowance allocation adjustments and the incorporation of modifications to federal rules under the state implementation plan.**

Changes the timeline for making allocation of NO<sub>x</sub> emissions in the state statutes to reflect federal law. Enables the Texas Commission on Environmental Quality's (TCEQ) to submit compliant rules and plans to the U.S. Environmental Protection Agency (EPA) for NO<sub>x</sub> allocation allowance adjustments. Requires the TCEQ, before the allocation date specified by the EPA for the control period beginning January 1, 2018, rather than January 1, 2016, to adjust the baseline for all affected units using the average of the three highest amounts of the unit's adjusted control period heat input for periods one through five of the preceding nine, rather than seven control periods, with the adjusted control period heat input for each year. Requires TCEQ to incorporate any modification to the federal rules cited in this section.

**Effective Date:** May 10, 2007

**SB 1673** by Averitt House Sponsor: Bonnen

**Relating to the period after which a preconstruction permit issued or renewed by the Texas Commission on Environmental Quality under the Texas Clean Air Act is subject to review.**

Allows the TCEQ to process an application for major amendment of a preconstruction permit renewal if the major amendment is requested within the last three years of the permit. Amends the Health and Safety Code to provide that a preconstruction permit issued on or after December 1, 1991, is subject to review on the filing of an application for an amendment to the permit, if the applicant is subject to provisions of the Texas Clean Air Act relating to public notice, the application is filed within three years of the expiration of the permit and the applicant does not object to having the permit subjected to review at that time.

**Effective Date:** May 22, 2007

**SB 2000** by Eltife House Sponsor: Bonnen

**Relating to a program to reduce the emissions of nitrogen oxides from certain stationary compressor engines.**

Requires the TCEQ to develop a grant program to help owners and operators of stationary gas-fired, rich burn compressor engines pay for nonselective catalytic reduction (NSCR) systems or other approved control systems that will reduce nitrogen oxides (NOx) emissions from these types of engines. Allows unused funds from the emissions reduction incentives (ERI) subaccount within the General Revenue-Dedicated Clean Air Account No. 151 to fund these grants. Requires the TCEQ to verify grant eligibility. It would require the agency to verify NOx reductions before distributing grant funds. The grant program would provide for partial reimbursement of the capital costs of installing NSCR or other NOx control systems. Specifies reimbursement percentages to be paid to grantees depending on when the provisions of the bill take effect and emission reductions are verified. Grants would be contingent upon fund availability and awarded by the TCEQ in the order the applications are received. The program expires on August 31, 2008.

**Effective Date:** June 15, 2007

## Compliance & Enforcement

**HB 147** by Phillips Senate Sponsor: Seliger

**Relating to the deferral of an administrative penalty imposed by the Texas Commission on Environmental Quality against certain utilities and districts.**

Requires that TCEQ allow a municipally owned utility, a water supply or sewer service corporation, or a district to defer the payment of all or part of an administrative penalty imposed for a violation on the condition that the entity complies with all provision for corrective action in a TCEQ order to address the violation.

**Effective Date:** September 1, 2007

**HB 1526** by Smith, W. Senate Sponsor: Seliger

**Relating to incentives for and the use of supplemental leak detection technologies for air contaminants.**

Requires the TCEQ to establish a program encouraging the voluntary use of supplemental leak detection technologies. Requires TCEQ by rule to authorize operators of emission sources to use a supplemental detection of emission leaks if the technology has been adopted by EPA as consistent with federal requirements and programs.

**Effective Date:** June 15, 2007

## Petroleum Storage Tanks (PSTs)

**HB 1956** by Hancock Senate Sponsor: Brimer

**Relating to the financial responsibility requirements applicable to owners or operators of underground storage tanks.**

Authorizes the TCEQ to order an owner or operator of an underground storage tank that fails to maintain acceptable evidence of financial responsibility to place the tank out of service, and requires an insurance company or other entity that provides insurance coverage or another form of financial assurance to an owner or operator of an underground storage tank for purposes of the section to notify TCEQ if the insurance coverage or other financial assurance is canceled or not renewed.

**Effective Date:** September 1, 2007

**HB 3554** by Isett Senate Sponsor: Duncan

**Relating to the program for the regulation and remediation of underground and aboveground storage tanks.**

Extends the operating period and funding for the Petroleum Storage Tank (PST) Remediation program as follows: the deadline for submission of site closure requests would be extended from September 1, 2007 to September 1, 2011; the deadline for reimbursements for corrective actions would be extended from August 31, 2007 to August 31, 2011; the deadline for placing sites in the state lead program would be extended from July 1, 2007 to July 1, 2011; the deadline for submitting reimbursement claims would be extended from March 1, 2008 to March 1, 2012, and the agency cannot make any reimbursements after August 31, 2012. In addition, the bill would extend the petroleum products delivery fee deposited to the credit of the General Revenue-Dedicated PST Remediation Account No. 655 through August 31, 2011 at a rate equal to one-third the current rate. Eliminates tank registration fees deposited to the General Revenue-Dedicated Waste Management Account beginning in fiscal year 2008. Allows the TCEQ to reinstate the registration fee if the petroleum products delivery fee is discontinued. Expands the use of funds in the PST Account to include regulatory activities.

**Effective Date:** June 15, 2007 for Section addressing transfer to State Lead; September 1, 2007 for all other sections.

## Waste & Remediation

**HB 1251** by **Bonnen** Senate Sponsor: **Wentworth**

**Relating to a public agency's, county's, or municipality's authority to enforce a solid waste collection and transportation services franchise or contract.**

Amends the procedures and authority of a public agency, including a county or a municipality, to enforce its grant of a franchise or contract for solid waste collection and transportation services within its territory. Specifically, prohibits a political subdivision from restricting the right of an entity to contract with a licensed grease and grit trap waste hauler or to contract for temporary solid waste disposal services to a construction project.

**Effective Date:** June 15, 2007

**HB 1386** by **King, P.** Senate Sponsor: **Fraser**

**Relating to regulation of the decommissioning costs of certain nuclear-powered commercial electric generation units.**

Establishes the amount of annual decommissioning funding necessary to meet certain decommissioning obligations for a nuclear generating unit. Requires PUC to conduct a proceeding at least once in a three-year period to review a power generation company's cost of decommissioning study and other available information. Requires PUC, by rule, to establish the acceptable forms of financial assurance necessary for compliance with certain provisions of this bill.

**Effective Date:** September 1, 2007

**HB 1457** by **McReynolds** Senate Sponsor: **Nichols**

**Relating to the acceptable methods for disposal of poultry carcasses.**

Rectifies conflicting statutes by amending the Water Code and striking disposal of poultry carcasses as feed for swine. The bill also prohibits the storage of unfrozen or unrefrigerated poultry carcasses on the site of a poultry facility for more than 72 hours.

**Effective Date:** September 1, 2007

**HB 1719** by **McReynolds** Senate Sponsor: **Nichols**

**Relating to requiring landowners to report the burial of certain animal carcasses.**

Removes the notification requirements that a landowner who complies with a water quality management plan must report the burial of animal carcasses to the TCEQ.

**Effective Date:** June 15, 2007

**HB 2018** by **Brown, B.** Senate Sponsor: **Deuell**

**Relating to eligibility for a municipal setting designation related to potential impacts to groundwater quality of solid waste activities.**

Deletes the requirement that a person may apply to the TCEQ for a municipal setting designation for only those properties within municipalities that have a population of at least 20,000.

**Effective Date:** May 25, 2007

**HB 2285** by Chisum                      **Senate Sponsor: Seliger**

**Relating to the renewal period for a license to registration related to radioactive materials and other sources of radiation issued by the Department of State Health Services.**

Amends the Health and Safety Code to exempt licenses or registrations under Chapter 401 from: 1) the license fees requirements in Chapter 12 and 2) the two-year terms required for a license issued by the Department of State Health Services (DSHS).

**Effective Date:** September 1, 2007

**HB 2482** by Cook, R.                      **Senate Sponsor: Estes**

**Relating to the requirements for certification to provide training to an owner of an on-site sewage disposal system using aerobic treatment in maintaining the system.**

Repeals most of the provisions of HB 2510 (79R), leaving in place the provisions that provide counties with more tools to enforce health and safety standards for on-site septic systems. Allows homeowners in all areas of the state where not prohibited by local ordinance to maintain their aerobic on-site sewage system without a maintenance contract or system maintenance training. Provides that maintenance providers must be registered by the TCEQ and removes reference to their certification by the manufacturer. Requires that in counties of at least 40,000 population if a homeowner fails to properly maintain an aerobic system, the homeowner has 10 days to correct the first violation or acquire a maintenance contract.

**Effective Date:** September 1, 2007

**HB 2541** by Leibowitz                      **Senate Sponsor: Uresti**

**Relating to certain requirements concerning solid waste facilities, including recycling facilities.**

Requires TCEQ to adopt rules regarding the size, content, and fire safety of recycling facilities. This bill provides stricter requirements for facilities located over sole source aquifers and authorizes the solid waste fee revenue to be used to combat fires or emergencies at recycling or solid waste facilities.

**Effective Date:** September 1, 2007

**HB 2654** by Puente                      **Senate Sponsor: Duncan**

**Relating to the regulation of the use of an injection well to inject nonhazardous brine from a desalination operation or to inject nonhazardous drinking water treatment residuals.**

Authorizes the TCEQ to create a general permit for the injection of nonhazardous desalination brine or drinking water treatment residuals. This bill also authorizes the Railroad Commission of Texas to authorize the injection of nonhazardous desalination brine or drinking water treatment residuals for enhanced recovery of oil and gas without first obtaining a permit from TCEQ.

**Effective Date:** September 1, 2007

**HB 2714 by Bonnen Senate Sponsor: Watson**

**Relating to a program for the recycling of computer equipment of consumers in this state; providing administrative penalties.**

Establishes a computer equipment recycling program requiring computer manufacturers to establish free and convenient programs to collect and recycle their own brand of computers sold to consumers. Retailers would only be allowed to sell brands of computers that appear on a list of manufacturers with recovery programs. This list would be maintained by the TCEQ. Requires the TCEQ to educate the public regarding the computer recycling program, maintain program information on a web site, enforce requirements for recycling computer equipment, and compile and issue an annual electronic report to the Legislature. The Department of Information Resources (DIR) and the Texas Building and Procurement Commission (TBPC) are required to adopt rules to ensure compliance by state agencies. Penalties for violations of the computer equipment recycling program would be deposited to the credit of the General Revenue-Dedicated Waste Management Account No. 549.

**Effective Date:** September 1, 2007

**HB 3220 by Elkins Senate Sponsor: Jackson**

**Relating to the environmental regulation and remediation of dry cleaning facilities.**

Authorizes real property owners who may be responsible for remediation costs of contaminated sites related to dry cleaning operations to participate in the Dry Cleaning Facility Release Fund if the property owner has registered and paid fees to that account. Owners are required to register by December 31, 2007, pay an annual registration fee, and if applicable, late fees. The bill also increases the delivery fee for perchloroethylene from \$15 to \$20 per gallon and reduce the fee for other solvents from \$5 to \$3 per gallon. Provides for annual registration fees to be divided into quarterly payments. Requires the TCEQ to refund registration fees paid back to dry cleaners that elected not to participate in the program to the extent that such registration fees exceed the amount due for a nonparticipating dry cleaning facility or drop station. Allows the TCEQ to impose a lien on the real property if an applicant does not pay a registration fee while corrective action is occurring. The amount of the lien would be the sum of the cost of the corrective action and fees due but not paid during the period of corrective action. The TCEQ shall provide the comptroller with a list of persons eligible for a refund not later than November 30, 2007.

**Effective Date:** June 15, 2007

**HB 3837 by Gonzalez Toureilles Senate Sponsor: Hegar**

**Relating to regulation by the railroad commission of injection wells used for in situ uranium mining.**

Provides the Railroad Commission with jurisdiction over uranium exploration holes and cased exploration wells until they are plugged and abandoned or registered with the TCEQ or included in an area permit issued by TCEQ. Authorizes an application fee to recover the cost of administering the uranium exploration program. It would also require the Railroad Commission to provide written notice of when it receives and issues exploration permit applications to local governments in affected areas and members of the legislature who represent the affected areas. The bill also would require that persons issued exploration permits report to the Railroad Commission with water quality information.

**Effective Date:** September 1, 2007

**HB 3838** by Gonzalez Toureilles Senate Sponsor: Hegar

**Relating to regulation of injection wells used for in situ uranium mining by the Commission on Environmental Quality.**

Expands the TCEQ's jurisdiction to include wells used in the development of information that TCEQ requires for area permit applications. Clarifies that TCEQ has exclusive jurisdiction over wells used to provide geologic, hydrologic and water quality information in support of the development of mining permit applications. The bill requires that these wells be registered with TCEQ unless they are later included in a production area permit, at which point the wells become subject to applicable area permit provisions, including notice and hearing requirements. Adds production and monitoring wells to those wells for which TCEQ has authority to require (1) a record of the geologic strata encountered in drilling a well or (2) a well log for any existing well converted for use in in situ uranium mining. The bill further requires that a person developing an application for an area permit for in situ uranium mining within a groundwater conservation district shall provide to the district information concerning: (1) any wells identified that are not publicly recorded, (2) mapped locations of all wells within one-quarter mile of the proposed production area, (3) pre-mining water quality conditions, (4) volume of water produced from any monitoring wells, and (5) the record of geologic strata encountered in well drilling. The bill also clarifies TCEQ authority for right of entry for inspection and investigation to include production and monitoring wells as defined and any business or operating records required to be maintained for such wells. Lastly, the bill expands the TCEQ's discretion to require financial assurance to ensure proper closure of wells regulated under Water Code Chapter 27 by making such assurance mandatory for any person issued a permit for any well used for in situ uranium mining.

**Effective Date:** September 1, 2007

**SB 387** by Carona House Sponsor: Harper-Brown

**Relating to loose material transported by vehicle.**

Redefines "loose material" and defines "refuse." The bill deletes existing text that exempts a vehicle operated at a speed less than 30 miles an hour from application of this chapter.

**Effective Date:** September 1, 2007

**SB 1604** by Duncan House Sponsor: Bonnen

**Relating to responsibilities of certain state agencies concerning radioactive substances; imposing fees and surcharges; providing administrative and civil penalties.**

Transfers responsibilities for regulation and licensing of commercial processing and storage of radioactive substances from the TDSHS to the TCEQ. Expands the TCEQ's radioactive materials licensing program to include disposal of by-product material, recovery of source material (uranium), and commercial processing and storage of radioactive substances. Establishes a deadline of October 1, 2007 for the agency to finalize the technical review of the pending application for by-product disposal. Addresses the transfer of FTEs, materials, fees, appropriations, and property from TDSHS to TCEQ. Creates a new state fee for the commercial disposal of certain radioactive wastes. Five percent of the state fee will be deposited to state general revenue and five percent is remitted to the host county. Allows TCEQ to issue injection well permits for uranium mining.

**Effective Date:** June 15, 2007



## Water

**HB 3** by Puente

**Senate Sponsor: Averitt**

**Relating to the management of the water resources of the state, including the protection of instream flows and freshwater inflows.**

### **Environmental Flow Provisions, Article 1**

Changes the environmental review for water permitting from a case-by-case basis to an environmental standards-by-rule process.

Creates an Environmental Flows Advisory Group, composed of nine members appointed by the governor and legislative leadership. The Advisory Group appoints members to bay and basin area stakeholder committees. The Advisory Group also appoints a statewide science advisory committee to develop recommendations to help provide overall direction, coordination and consistency.

Each bay and basin area stakeholder committee establishes a bay and basin expert science team that will advise the stakeholder committee. Each bay and basin stakeholder committee shall develop a recommended stream flow regime for their specific bay and basin. These recommendations go to the TCEQ, which adopts rules establishing environmental flow standards. In adopting the rules, the TCEQ may consider the expert science team recommendations, the stakeholder recommendations, and human and other competing water needs.

With TCEQ environmental flow standards established, in new water right applications, the TCEQ applies the environmental flow standard from the rule rather than performing an application specific analysis.

### **TCEQ responsibilities:**

Rulemaking would be required to adopt environmental flow standards. The rules must be developed, in cooperation with much basin specific stakeholder and scientific input. The bill contains a specific procedure and time table for adopting these rules. The first rules can be adopted no sooner than September 1, 2010.

Operational: After September 1, 2007, permits for new appropriations or amendments that increase the permitted amount of water must include a provision that allows for an adjustment to the conditions on the new permitted water designed to protect the environment. The cumulative adjustment to the annualized total of the condition may not be more than 12.5 percent.

A member of the Commission, appointed by the Governor, will serve on the Environmental Flows Advisory Committee.

The TCEQ is to provide staff support to the Environmental Flows Advisory Committee

Effective date for these provisions is September 1, 2007.

### **Edwards Aquifer Authority, Article 2**

Required permitted groundwater withdrawal reductions for the Edwards Aquifer Authority (EAA) to 450,000/400,000 acre-feet are replaced by a permit cap of 572,000 acre-feet.

EAA to adopt by rule a critical period management plan by January 1, 2008 based on percent reductions on permitted withdrawals provided in tables based upon spring flow and water levels the San Antonio and Uvalde pools of the aquifer.

Within six months of receiving the Program Document for a recovery implementation program, EAA shall adopt by rule a new Critical Period Management Plan

EAA, with assistance from Texas A&M University, is required to develop a recovery implementation program with input from U.S. Fish and Wildlife Service (USFWS), TCEQ, other federal and state agencies, and interested stakeholders. The program will address the needs of threatened and endangered species that rely on the Edwards Aquifer and will develop a program document that will be the basis of the new Critical Period Management Plan. Financing of the effort will be shared by EAA, state agencies, and other stakeholders.

Fees collected by the EAA can not be used to:

- o reduce the amount of permitted withdrawal;
- o authorize increases in permitted withdrawals;
- o provide for the reduction in permitted withdrawals;
- o fund the cost of reducing withdrawals or permit retirements based on withdrawal caps; and
- o assess special fees based upon permitted aquifer water rights to finance the retirement of rights based upon the withdrawal caps.



**HB 891** by Hilderbran Senate Sponsor: Fraser

**Relating to water rights Permit No. 5394A issued to the Upper Guadalupe River Authority.**

Voids Special Condition No. 5E of the permit, which requires that UGRA submit to TCEQ a document requesting voluntary cancellation of any portion of the water right in the permit that is not included in a binding take-or-pay contract by December 31, 2010.

**Effective Date:** June 15, 2007

**HB 1656** by Puente Senate Sponsor: Averitt

**Relating to the regulation by municipalities of irrigation systems and irrigators.**

Requires certain municipalities to require an installer of an irrigation system to hold a license issued under Section 1903.251, Occupations Code, and obtain a permit before installing an irrigation system, based on certain minimum standards and specifications, to assure that irrigation systems are installed so that water is used efficiently in irrigating landscapes. Authorizes water districts to adopt and enforce rules requiring an installer of an irrigation system to hold a license issued under Section 1903.251, Occupations Code, and obtain a permit before installing an irrigation system.

**Effective Date:** June 15, 2007

**HB 1717** by McReynolds Senate Sponsor: Hegar

**Relating to the identification requirements for any device with the appearance of a fire hydrant that is nonfunctioning or otherwise unavailable for use in a fire emergency.**

Requires that all devices that resemble a fire hydrant but are nonfunctioning or unavailable for use in fire suppression be painted black or, if the device is temporarily nonfunctioning or unavailable for use, covered with a black tarp for no more than seven days.

**Effective Date:** June 15, 2007

**HB 2819** by Ritter Senate Sponsor: Jackson

**Relating to the management and protection of coastal public land and other coastal resources; providing for administrative penalties.**

Provides flexibility to the General Land Office (GLO) in developing guidelines for persons applying to acquire rights in coastal public lands. Also provides for the use of the Coastal Erosion Response Account for the administration of the coastal management program by the GLO. Provides direction to local governments in planning for the reduction of public expenditure for erosion and storm damage loss, and allows the Land Commissioner to order the removal of obstructions and hazards inconsistent with local governments' beach access plans or constituting hazards. The bill would also provide for administrative penalties for violations of coastal related laws and rules, and it would modify the contents of disclosures required for the sale of coastal real estate.

**Effective Date:** September 1, 2007

**HB 3017** by Puente Senate Sponsor: Averitt

**Relating to the certification of water treatment specialists.**

Transfers Health and Safety Code provisions relating to water treatment specialists to the Occupations Code and redesignates the provisions as Chapter 1904, Occupations Code since these provisions are found in both the Health and Safety Code and the Occupations Code.

**Effective Date:** June 15, 2007

**HB 3098** by Puente Senate Sponsor: Averitt

**Relating to the fees imposed by the Texas Commission on Environmental Quality in connection with plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer.**

Provides that fees can be charged for processing plans or amendments to Edwards Aquifer Protection Plans that are subject to review and approval. This bill would broaden the use of the existing fees charged for reviewing Edwards Aquifer Protection Program plans, expand the types of plan reviews for which fees can be charged, and increase the fee caps. The bill would also clarify that fees that are charged for reviewing plans or amendments to plans under the Commission's Edwards Aquifer Protection Program may be used to fund other Edwards Aquifer Protection Program activities. The use of these funds could be used to fund current program support activities and for new activities that will aid in assessing the effectiveness of the program in protecting water quality in the Edwards Aquifer. Section 26.0461(a) currently limits the use of fees to processing plans, and inspecting the construction and maintenance of projects covered by the plans. Furthermore, the bill provides for specific fee authority for contributing zone plans, increases all fee caps to account for inflation, and increases the fee caps for large/multiphase development projects to reflect complexity and resulting additional workload that these types of plans require.

**Effective Date:** September 1, 2007

**HB 3776** by Puente Senate Sponsor: Averitt

**Relating to the authority of the Texas Water Development Board to approve the regional water plan for Region L and include the plan in the state water plan.**

Allows the Texas Water Development Board (TWDB) to approve the regional water plan for Region L and include it in the state water plan for the five-year period beginning January 5, 2007, if the TWDB strikes existing versions of the Lower Guadalupe Water Supply Project from the Region L plan and replaces it with a new Lower Guadalupe Water Supply Project for Upstream Guadalupe-Blanco River Authority (GBRA) Needs. The bill specifies that this new project be developed by the Region L planning group in association with the GBRA.

**Effective Date:** June 15, 2007

**SB 3** by Averitt House Sponsor: Puente

**Relating to the development, management, and preservation of the water resources of the state.**

**Environmental Flow Provisions, Article 1**

Changes the environmental review for water permitting from a case-by-case basis to an environmental standards-by-rule process.

The bill creates an Environmental Flows Advisory Group, composed of nine members appointed by the governor and legislative leadership. The Advisory Group appoints members to bay and basin area stakeholder committees. The Advisory Group also appoints a statewide science advisory committee to develop recommendations to help provide overall direction, coordination and consistency.

Each bay and basin area stakeholder committee establishes a bay and basin expert science team that will advise the stakeholder committee. Each bay and basin stakeholder committee shall develop a recommended stream flow regime for their specific bay and basin. These recommendations go to the TCEQ, which adopts rules establishing environmental flow standards. In adopting the rules, the TCEQ may consider the expert science team recommendations, the stakeholder recommendations, and human and other competing water needs. With TCEQ environmental flow standards established, in new water right applications, the TCEQ applies the environmental flow standard from the rule rather than performing an application specific analysis.  
Effective Date: September 1, 2007.

**Water Conservation Provisions, Article 2**

Creates the Water Conservation Advisory Council

Requires the Commission and the Texas Water Development Board (TWDB) to jointly adopt rules: requiring the submission of water conservation plans to the Texas Water Development Board (TWDB) by retail public utilities that provide water service to 3,300 or more connections; requiring that each entity submit an annual report to the TWDB on the entity’s progress in implementing its water conservation plan; and requiring enforcement.

Also requires the TWDB to develop and implement a statewide water conservation public awareness campaign. These provisions are effective September 1, 2007.

**Relating to certificates of public convenience and necessity for water service and sewer service.**

Amends Texas Water Code, Chapter 13.002(1-a) by revising the definition of “landowner” to include the requirement that a tract of land must be shown on the appraisal role for the district established for each county in which the property is located.

Sections 13.002(1-a) (5) and (8) are amended to replace Natural Resource Commission with Environmental Quality.

**Relating to utility consolidated billing and collection of fees and payments of certain sewer service corporations and water supply corporations.**

Adds Texas Water Code, Section 13.147.

Allows consolidated billing for services provided by a retail public utility providing water service and a different retail public utility providing sewer service to the same customer, if a contract exists between the two providers.

Water providers would be able to do this for customers located in their CCN for which a separate entity provides sewer service under a sewer CCN.

The water provider would issue the consolidated bill and could terminate water service for nonpayment of sewer service.

The water provider could charge a reconnection fee.

Sewer customers could also be charged a fee to cover the cost of the consolidated billing.

If a contract is unobtainable, the sewer service provider may petition the commission to issue an order requiring the consolidation of billing and disconnecting. The contract or commission order must provide procedures and deadlines for the consolidated services.

These provisions are effective on September 1, 2007.

**Relating to certain rate changes by a water and sewer utility.**

Adds Texas Water Code, Section 13.188 (a), (b), (c) and (d).

Allows a utility to file an application for adjusting the utility’s rates in order to reflect an increase or decrease in energy costs in a pass through clause.

By rule, the Commission shall require the pass through of documented decreases in energy costs within a reasonable time

Such a decrease or increase shall be implemented on an annual basis, unless the Commission determines a special circumstance applies.

Gives the TCEQ the authority to approve such requests as an uncontested matter; however, the ED shall hold a public meeting if requested by a legislator who represented the area or if the ED determines that there is significant public interest in the matter.

Section 13.188(c) specifies that a proceeding under this Section is not a rate case and Texas Water Code, Section 13.187 does not apply.

**Relating to certificates of public convenience and necessity for water service and sewer service.**

Amends Texas Water Code (TWC), Chapter 13.2451 by removing the requirement for a city to obtain landowner consent when requesting a Certificate of Convenience and Necessity (CCN) for areas outside the city's extraterritorial jurisdiction (ETJ).

A city's CCN area outside its ETJ is no longer void after the effective date of this act.

A city seeking to extend its CCN beyond its ETJ must meet the nine criteria outlined in TWC, Section 13.241, for the portion of the area located outside the city's ETJ to be covered by the CCN.

Specifies that the Commission may decertify a city's CCN for the portion outside of its ETJ if the city does not provide service to the area on or before the fifth anniversary of the date the CCN was granted.

This subsection does not apply to a CCN for an area that was transferred to the city on approval of the Commission or where the city has spent public funds.

If a conflict between TWC, Section 13.245 arises, Section 13.245 prevails.

**Relating to certificates of public convenience and necessity to provide water or sewer utility service.**

Amends Water Code, Section 13.246(a-1) by reducing the number of acres a landowner must own to receive mailed, individual notice of an application to obtain or amend a Certificate of Convenience and Necessity (CCN) from 50 acres to 25 acres.

Stipulates that notice under subsection is not required for matters filed under TWC, Section 13.248; TWC, Section 13.255 or TWC, Chapter 65.

**Relating to Standards for Harvested Rainwater.**

Amends the Health and Safety Code, Section 341.042 by requiring the Commission to establish recommended standards relating to the domestic use of harvested rainwater, including health and safety standards for treatment and collection methods for harvested rainwater intended for drinking, cooking, or bathing.

Requires the Commission to establish rules for structures that are connected to a public water system and has a rainwater harvesting system for indoor use. The structure must have cross-connection safeguards and the harvesting system may be used only for non-potable indoor purposes.

Rainwater harvested for domestic use and the property is not connected to a public drinking water supply system the standards and rules adopted do not apply.

**Relating to the duties of a water service provider in an area served by a municipal sewer service**

Adds Local Government Code (LGC), Section 402.911, to allow a city or conservation and reclamation district in a county with a population of 1.3 million that serves only sewer utility service to an area to have the water utility service provider terminate water service for non payment of a sewer bill.

This section does not apply to non-profit, water supply or sewer service corporations organized under Chapter 67, Water Code, or to Special Utility Districts (SUDs) created under Chapter 65, Water Code.

Requires the water provider to give the city or district any relevant customer information so that the city or district may bill users of the sewer service directly and verify the water consumption of users.

Requires the city or district to reimburse the water provider for its service to the city or district under this section.

Allows a method for notice and disconnection of service by non-paying customers.

**Relating to Irrigation Systems**

Provides that irrigation standards be adopted and enforced concerning system design, installation, connection; water conservation; and specific duties and responsibilities of licensed irrigators.

Specifies that TCEQ should consult with the Irrigator Advisory Council on adoption of rules.

Not later than June 1, 2008, the TCEQ shall adopt standards as required by Section 1903.053, Occupations Code, as amended by this Act. The new standards shall take effect June 1, 2009.

**Relating to certificates of public convenience and necessity for water service and sewer service**

Adds language to clarify when changes made under SB 3, Section 2.08, Chapter 13.2451 will apply, regarding extension of a CCN beyond a city's ETJ.

Applies to CCN applications filed with TCEQ on or after the effective date of the act.

Applies to a proceeding to amend or revoke a CCN initiated on or after the effective date of the act.

Applies to a CCN issued to a city, regardless of when it was issued

Applies to an application for a CCN by a city, regardless of when it was filed, and a proceeding to amend or revoke a CCN held by a city, regardless of when the proceeding was initiated.

**Unique Reservoir Sites**

Designates all reservoir sites recommended in the state water plan as having unique value for the construction of a dam or reservoir. The effect of the designation is that a state agency or political subdivision may not obtain a fee title or easement that would significantly prevent the construction of the reservoir. The designation terminates on September 1, 2015 unless a project sponsor has voted to spend money to construct or file an application by that time. A Region C Study Commission is established to study and evaluate the need for Marvin Nichols Reservoir. These provisions are effective immediately.

**Monitoring by the TWDB of the performance of a political subdivision that receives financial assistance under Subchapter K, Chapter 17**

Amends Texas Water Code, Section 13.344 by allowing political subdivisions to receive funding under Subchapter K, Chapter 17, on a temporary basis if the political subdivision requests temporary continuation of funding and TWDB makes certain determinations.

As part of TWDB's determinations, it must consult with the offices of Attorney General, Secretary of State, and the agency to see if any of these entities has an objection to the request for temporary funding.

The political subdivision must meet certain conditions, such as having adequate safeguards in place to prevent proliferation of colonias and committing to correct model subdivision rules deficiencies within 90 days after TWDB makes the determinations under this subsection.

Applications by qualifying political subdivisions may not be accepted or granted after 06/01/09.

The provisions of this section sunset on 09/01/09.

**Relating to the authority of certain special districts to establish differences in rates between customer classes**

Amends Texas Water Code, Section 49.2122, by authorizing districts to set different class rates and charges, fees, rentals or deposits for these classes.

Customer classes are based on any factor the district considers appropriate including: similarity of type of customers in each class; type of service provided; the cost of facilities, operations and administrative costs to provide service to customers in a particular class; and the total revenues and connection fees from customers in a particular class.

The customer classes and associated charges per class are presumed to be appropriate unless it is found that the district acted arbitrarily.

**Relating to the succession of the La Joya Water Supply Corporation by the Agua Special Utility District**

Renames the entity from La Joya Special Utility District (SUD) to Agua SUD.

Modifies the provisions for transferring the responsibilities of La Joya Water Supply Corporation to Agua SUD.

Changes the directors, provides for appointment of temporary directors by local cities and county commissioners, the manner in which new directors are elected, and also decreases the number of directors.

Directs the receiver to dissolve the corporation.

Requires all temporary and permanent board directors to obtain training and requires the elected treasurer to obtain special training.

Prohibits a director of the corporation from serving as a director of the district.

Prohibits directors from serving consecutive terms.

Does not limit injunctive, monetary or penalty orders imposed on La Joya Water Supply Corporation or limit the liability to persons who served on the board of La Joya Water Supply Corporation.

Metes and bounds description closed.

**Edwards Aquifer Authority**

Required permitted groundwater withdrawal reductions for the Edwards Aquifer Authority (EAA) to 450,000/400,000 acre-feet are replaced by a permit cap of 572,000 acre-feet.

EAA to adopt by rule a critical period management plan by January 1, 2008 based on percent reductions on permitted withdrawals provided in tables based upon spring flow and water levels the San Antonio and Uvalde pools of the aquifer.

Within six months of receiving the Program Document for a recovery implementation program, EAA shall adopt by rule a new Critical Period Management Plan

EAA, with assistance from Texas A&M University, is required to develop a recovery implementation program with input from U.S. Fish and Wildlife Service (USFWS), TCEQ, other federal and state agencies, and interested stakeholders. The program will address the needs of threatened and endangered species that rely on the Edwards Aquifer and will develop a program document that will be the basis of the new Critical Period Management Plan. Financing of the effort will be shared by EAA, state agencies, and other stakeholders.

Fees collected by the EAA can not be used to:

- reduce the amount of permitted withdrawal;
- authorize increases in permitted withdrawals;
- provide for the reduction in permitted withdrawals;
- fund the cost of reducing withdrawals or permit retirements based on withdrawal caps; and
- assess special fees based upon permitted aquifer water rights to finance the retirement of rights based upon the withdrawal caps.

The TCEQ is no longer required to assess special fees on all downstream water rights holders in the Guadalupe River Basin to finance retirement of rights based on the withdrawal caps.

No law suit can contest in court the validity or implementation of legislation regarding neither the EAA nor the groundwater withdrawal amounts before January 1, 2012.

#### **True Ranch Municipal Utility District**

The bill adds Chapter 8269 to the Special District Local Laws Code creating the True Ranch Municipal Utility District.

The district powers and duties are embodied in general law.

Metes and bounds description closed.

This provision is effective on June 16, 2007.

#### **Tablerock Groundwater Conservation District**

Creates the Tablerock Groundwater Conservation District in Coryell County with the powers and duties of Water Code, Chapter 36 related to general law for groundwater conservation districts (GCDs). Creation of the District is subject to a confirmation election. The District is required to expand and add territory by September 1, 2011, and TCEQ must dissolve the District if TCEQ finds that the territory has not been added.

**Effective Date:** June 16, 2007

**SB 662**      **by Wentworth**                      **House Sponsor: Hilderbran**

**Relating to transmittal to the Texas Water Development Board and a local groundwater conservation district of certain information by a person applying to subdivide a tract of land.**

Requires the TCEQ to establish the appropriate form and content of certification to be attached to a subdivision plat that is filed with a city or county to provide useful groundwater information to the Texas Water Development Board (TWDB) and any groundwater conservation district (GWD) whose boundaries encompass that tract of land. The TCEQ, in consultation with TWDB, would be directed to adopt rules requiring owners of these tracts of land to provide information that would be useful in: performing GWD activities; conducting regional water planning; maintaining the state's groundwater database; or conducting studies for the state related to groundwater.

**Effective Date:** September 1, 2007



**SB 781** by **Lucio** House Sponsor: **Pickett**

**Relating to remedies available if a subdivider fails to provide water or sewer services in certain subdivisions near an international border.**

Provides victims of unscrupulous developers the same legal remedy currently afforded to county and state officials. Authorizes, at the request of the consumer, district courts to enjoin the violation or threatened violation of Texas' colonia prevention laws and requires the developer of the illegally plotted land to bring the lots into compliance with state law.

**Effective Date:** June 15, 2007

**SB 1037** by **Duncan** House Sponsor: **Darby**

**Relating to the prevention of surface water or groundwater pollution from certain evaporation pits.**

Creates new statutory authority and responsibilities for the TCEQ to regulate evaporation pits utilized to evaporate water and collect brine water or residual salts and minerals. Requires the TCEQ to adopt rules requiring standards for the construction of evaporation pits. The bill also requires bonding and other safeguards to ensure that public waters are protected from this potential hazard.

**Effective Date:** September 1, 2007

**SB 1271** by **West** House Sponsor: **Giddings**

**Relating to county authority to acquire a water or sewer utility system and provide water and sewer services within a municipality.**

Authorizes a county with a population of two million or more and any adjoining county to serve an area within a municipality, with the municipality's approval.

**Effective Date:** June 15, 2007

**SB 1383** by **Seliger** House Sponsor: **Smithee**

**Relating to district hearings and citizen suits for illegally drilling or operating a water well.**

Amends Chapter 36, Water Code, to establish procedures related to an investigation and a hearing conducted by a groundwater conservation district in response to a complaint or suit by an owner of a well regarding another person operating or drilling wells without a permit or in other violation of district rules.

**Effective Date:** June 15, 2007

**SB 1436** by West                    **House Sponsor: Creighton**

**Relating to the transfer of responsibility for the National Flood Insurance Program from the Texas Commission on Environmental Quality to the Texas Water Development Board and the administration and funding of the program and to the creation of a center to study elevation and related data; providing for the imposition of penalties.**

Transfers responsibility for state administration, coordination, and management of local participation in the National Flood Insurance Program from the TCEQ to the Texas Water Development Board (TWDB). Expands the TWDB's duties related to the management of the NFIP by requiring that the TWDB make floodplain maps and floodplain information accessible to the public, including in an electronic format through the TWDB's website, and that the TWDB provide public education and outreach through the agency's field offices to encourage participation in the NFIP. Directs 50 percent of maintenance taxes on flood premiums to a new floodplain management account for TWDB to use to coordinate this program.

**Effective Date:** September 1, 2007

**SB 1762** by Shapleigh                    **House Sponsor: Guillen**

**Relating to a study by the Texas Water Development Board regarding the impact of climate change on surface water supplies from the portion of the Rio Grande in Texas subject to the Rio Grande Compact.**

Requires the Texas Water Development Board, in coordination with the Far West Texas Water Planning Group, to conduct a study on the impact of climate change on surface water. Also requires the Board to submit a written report regarding its findings to the legislature.

**Effective Date:** June 15, 2007

## General Government

**HB 590** by Delisi Senate Sponsor: Zaffirini

**Relating to standards of conduct for and conflicts of interest of state officers and employees.**

Clarifies and strengthens ethical standards that apply to state officials and employees by promoting consistent ethical policies among state agencies.

**Effective Date:** September 1, 2007

**HB 823** by Ritter Senate Sponsor: Williams

**Relating to the liability of certain licensed or registered professionals for damages arising from certain services provided during an emergency.**

Provides that licensed architects and engineers are not civilly liable due to a fault in the performance of services during a government-declared disaster unless the fault results from gross negligence or willful, wanton, or intentional misconduct.

**Effective Date:** June 15, 2007

**HB 1100** by Lucio Senate Sponsor: Lucio

**Relating to cancellation of a subdivision plat under certain circumstances.**

Authorizes certain people who own real property in certain subdivisions to follow a process in order to cancel, wholly or partly, an existing subdivision plat and to reestablish the property using lots and blocks descriptions.

**Effective Date:** June 15, 2007

**HB 1260** by Martinez Senate Sponsor: Hinojosa

**Relating to exempting certain military personnel from certain state and local government fees.**

Exempts certain military personnel who are being deployed to serve in a hostile fire zone from certain state and local government fees in order to ease the burden created by this short preparation period. The bill lists specific fees that are exempted, including fees to obtain copies of birth and marriage certificates and fees for transferring property titles.

**Effective Date:** September 1, 2007

**HB 1471** by Hancock Senate Sponsor: Brimer

**Relating to resource sharing among certain political subdivisions, including regional planning commissions, during a disaster.**

Creates the Texas Statewide Mutual Aid System (system) in order to authorize jurisdictions to request aid from other jurisdictions whether they already have a mutual aid compact or not. The bill dictates the default contractual provisions that cover the legal rights and responsibilities of both the requesting and providing jurisdiction, enacts professional standards, and creates disaster districts to provide pre-disaster planning. The bill also provides that the current statewide Mutual Aid Program for Fire Emergencies is made permissive and secondary to the system.

**Effective Date:** June 15, 2007

**HB 1493 by Bonnen Senate Sponsor: Janek**

**Relating to the establishment and operation of a severe storm research and planning center.**

Creates the Severe Storm Research and Planning Center and outlines the administration, purpose, and overall objectives of the center. The center will work with the University of Houston, Rice University, Texas A&M University, and others to provide sophisticated modeling that will give much more accurate warnings when storms approach the Texas coasts.

**Effective Date:** June 15, 2007

**HB 1495 by Callegari Senate Sponsor: Nichols**

**Relating to a bill of rights for property owners whose property may be acquired by governmental or private entities through the use of eminent domain authority.**

Requires landowners affected by potential condemnation to receive a written statement of their rights and options as provided by state law.

**Effective Date:** February 1, 2008

**HB 1871 by Giddings Senate Sponsor: Fraser**

**Relating to information obtained regarding the sale of plastic bulk merchandise containers; providing civil penalties.**

Requires a person who is in the business of recycling, shredding, or destroying plastic bulk merchandise containers to obtain from the seller proof of ownership for the containers and a record of identifying information of the seller and provides that a person who violates this provision is liable to the state for a civil penalty of \$10,000 for each violation.

**Effective Date:** September 1, 2007

**HB 2091 by Hill Senate Sponsor: Wentworth**

**Relating to municipal consent to the addition of a political subdivision of land located in the extraterrestrial jurisdiction of the municipality.**

Clarifies that the expansion or annexation of territory by an existing district, if it is inside the ETJ of a municipality, must follow the same procedures as if it was being created.

**Effective Date:** June 15, 2007

**HB 2096 by Quintanilla Senate Sponsor: Uresti**

**Relating to utility connections on certain tracts of land in certain counties near an international border.**

Authorizes a utility to provide utility services to certain lots of land if that service was provided on or before January 1, 2001, unless any portion of that land is improved or if any existing improvements on that land are modified.

**Effective Date:** September 1, 2007

**HB 2163** by Harless Senate Sponsor: Carona

**Relating to the definition of automotive wrecking and salvage yard.**

Deletes the term “wrecked” from the definition of an automotive wrecking and salvage yard since many of the vehicles that are dismantled and salvaged are not damaged from being in an accident.

**Effective Date:** September 1, 2007

**HB 2248** by Van Arsdale Senate Sponsor: Williams

**Relating to the ability of a governmental body under the public information law to request a re-determination from the attorney general on dismissal of litigation relating to the same issue.**

Authorizes a governmental body to ask for another decision from the attorney general concerning the precise information that was at issue in a prior decision under certain conditions.

**Effective Date:** September 1, 2007

**HB 2281** by Corte Senate Sponsor: Uresti

**Relating to administrative approval of replats involving minor plat revisions.**

Amends Section 212.0065(a), Local Government Code, to allow the administrative approval process of minor replats to mirror the approval process for minor plats.

**Effective Date:** June 15, 2007

**HB 2458** by Cook, B. Senate Sponsor: Brimer

**Relating to the licensing and regulation of structural pest control by the Department of Agriculture and the abolition of the Texas Structural Pest Control Board.**

Transfers the Texas Structural Pest Control Board’s (SPCB) obligations, property, fulltime equivalent positions, rights, powers, and duties to the Texas Department of Agriculture (TDA) no later than March 1, 2008.

**Effective Date:** September 1, 2007; Section 3.02 effective on June 15, 2007

**HB 3410** by Gattis Senate Sponsor: Ogden

**Relating to alternative procedures for plat revision of residential areas by a county.**

Streamlines the process of re-subdividing a parcel into six or fewer lots by allowing the county to process the amended plat without the need for a public hearing so long as certain conditions apply.

**Effective Date:** June 15, 2007

**HB 3834** by Gonzales Senate Sponsor: Hinojosa

**Relating to authorizing the amount of a fee charged by certain counties for issuing certain utility certificates.**

Authorizes a county to assess a certification fee that is the greater of \$30 or the amount of the fee imposed by the municipality for the same certification.

**Effective Date:** June 15, 2007

**HJR 30** by Jackson, J. Senate Sponsor: Janek

**Relating to allowing the repurchase of real property acquired by a governmental entity through eminent domain.**

Proposes a constitutional amendment to allow the repurchase of real property acquired by a governmental entity through eminent domain. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 6, 2007. Sets forth the required language for the ballot.

**Effective Date:** Not applicable

**SB 11** by Carona House Sponsor: Corte

**Relating to homeland security.**

Establishes a statewide mutual aid system to provide integrated statewide aid response capacity between local government entities; allows state employees who hold an amateur radio station license to be granted leave to assist during a disaster; designates and allows additional emergency vehicles to be used during a disaster; allows for roving communication interception orders and expands the list of offenses for which interceptions may be authorized to include kidnapping and unlawful restraint, human trafficking and money laundering; provides for emergency alert system training of local officials; creates a system by which auto dealers are required to enter vehicle specific information that would be given a unique number that can be traced by law enforcement for temporary car tags; and provides that the exercise of eminent domain by a common carrier is not invalid solely because the common carrier does not operate as a corporation.

**Effective Date:** September 1, 2007, Article 1 takes effect immediately

**SB 592** by Wentworth House Sponsor: Parker

**Relating to special notice to the news media of the meeting of a governmental body in certain situations under the open meetings law.**

Allows presiding officers of governmental bodies the option to communicate through facsimile transmission or electronic mail the notice of an emergency meeting or emergency addition to an agenda.

**Effective Date:** June 15, 2007

**SB 622** by Carona House Sponsor: Callegari

**Relating to the collection of certain data for the Texas Natural Resources Information System and the duties of the Texas Geographic Information Council.**

Moves the statutory deadline to November 1 to give TWDB and DIR additional time to work with TGIC members to produce the biennial report and will allow for input to the DIR Biennial Performance Report. The bill also clarifies certain criteria required for inclusion in the report.

**Effective Date:** May 11, 2007

**SB 969** by Estes House Sponsor: Harless

**Relating to exemptions from certain fees for government vessels and outboard motors.**

Authorizes TPWD to register government-owned vessels without charging a fee.

**Effective Date:** June 15, 2007

**SB 1207** by Hegar House Sponsor: Smith, W.

**Relating to the removal by the county commissioners court of appointed special district board members who engage in misconduct.**

Creates a process by which special district board members can be removed from office.

**Effective Date:** June 15, 2007

**SB 1461** by Seliger House Sponsor: Cook, B.

**Relating to certain matters regarding a clean coal project, including contracting authority and indemnification requirements, liability, representation of a state agency by the attorney general, and monitoring of sequestered carbon dioxide.**

Clarifies and enhances the State of Texas' best value offerings for selection by the FutureGen Industrial Alliance as the host state of a clean coal project. Allows the governor and the comptroller jointly to adopt provisions for issuing to the entity with which the governor contracts, franchise tax credits to promote research and development activities related to a clean coal project in this state within certain parameters set out by this bill.

**Effective Date:** September 1, 2007

**SB 1499** by Zaffirini House Sponsor: Corte

**Relating to the meeting notice that a governmental body may post in certain emergency situations.**

Authorizes a governmental body that is expected to receive a large number of persons from the area of a declared disaster to post public meetings at least two hours prior to the meeting's scheduled time. This bill requires notice of such a meeting or an addendum to an agenda to be given to members of the news media at least one hour prior to the meeting.

**Effective Date:** June 15, 2007

**SJR 20** by Lucio House Sponsor: Chavez

**Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide assistance to economically distressed areas.**

Proposes a constitutional amendment to authorize the Texas Water Development Board to issue up to \$250 million in general obligation bonds for assistance to economically distressed areas. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007.

**Effective Date:** Not applicable

## Local Government

**HB 610** by Brown, F. Senate Sponsor: Hegar

**Relating to a plan to provide services to an area annexed by a municipality.**

Requires municipalities to include a list of all services required by Section 43.056, Local Government Code, to be included in their service plans, and to propose in the service plan a schedule for providing those services.

**Effective Date:** June 15, 2007

**HB 1472** by Miller Senate Sponsor: Wentworth

**Relating to the annexation of land for which property taxes are imposed based on the land's value for agricultural or wildlife management purposes or timber production.**

Authorizes a municipality to enter into a development agreement with a landowner of agricultural or wildlife management use land, rather than annexing said land.

**Effective Date:** May 25, 2007

**HB 1742** by Giddings Senate Sponsor: West

**Relating to urban land bank demonstration programs.**

Makes several changes as requested by the City of Dallas in order to facilitate operation of an urban land bank and to accomplish the goal of providing a mixed-income strategy in the redevelopment of a land bank's target area. Prohibits the TCEQ from naming a land bank as a responsible party.

**Effective Date:** September 1, 2007

**HB 2212** by Guillen Senate Sponsor: Zaffirini

**Relating to the authority to consolidate municipalities.**

Authorizes two or more noncontiguous municipalities in the same county that are separated by not more than 2.5 miles and are located within one mile of an international boundary to consolidate under one government.

**Effective Date:** June 15, 2007

**HB 2694** by Hamilton Senate Sponsor: Janek

**Relating to the disaster contingency fund.**

Provides funds from which local governments are authorized to draw in the event of a disaster that is not declared a federal emergency. The bill also provides a source of funds that local governments are authorized to use to be repaid from federal funds for immediate needs.

**Effective Date:** June 15, 2007



**HB 2910** by Gattis Senate Sponsor: Ogden

**Relating to the authority of certain municipalities to regulate certain quarry activities.**

Requires the municipality that owns or leases the rock quarry to receive the consent of the governing body of the municipality in which the quarry is located, before the municipality may dispose of water treatment byproducts in the site of the quarry.

**Effective Date:** June 15, 2007

**HB 3232** by Olivo Senate Sponsor: Janek

**Relating to certain subdivision golf courses.**

Requires the local municipality to conduct a hearing before considering approval of a replat for any changes to a subdivision in which a golf course is included in the subdivision's development.

**Effective Date:** June 15, 2007

**HB 3325** by Escobar Senate Sponsor: Lucio

**Relating to the extent of extraterritorial jurisdiction of certain municipalities.**

Grants the Town of South Padre Island a five mile extraterritorial jurisdiction.

**Effective Date:** June 15, 2007

**HB 3367** by Straus Senate Sponsor: Wentworth

**Relating to the change in municipal boundaries by agreement between certain municipalities.**

Authorizes two municipalities to agree to a boundary change that would release an area of the home-rule municipality to another municipality as long as both entities agree to the terms of the release.

**Effective Date:** June 15, 2007

**HB 3517** by Creighton Senate Sponsor: Watson

**Relating to competitive purchasing requirements for local governments.**

Removes restrictions on municipalities of a certain population size regarding the purchase of insurance. Authorizes a municipality to use the competitive sealed proposal procedure for the purchase of goods or services. Also exempts the purchase of a vehicle and equipment repairs from certain purchasing requirements. Adds a conservation and reclamation district in a county with a population of 250,000 or more to those governmental entities to which the Public Property Finance Act would apply. Increases from \$25,000 to \$50,000 the minimum expenditure for certain items or services that would require an emergency service district board to submit to competitive bids.

**Effective Date:** September 1, 2007

**SB 63**            **by Zaffirini**                            **House Sponsor: Escobar**

**Relating to the powers of the commissioners court of certain counties in the border region in regard to unincorporated areas; providing penalties.**

Authorizes additional powers to the commissioners court of a county with a population of more than 5,000 that is located within 100 miles of an international boundary and that contains no incorporated territory of a municipality. Current statute authorizes those additional powers to the commissioners court of a county with a population of more than 7,500 that is located on an international boundary and that contains no incorporated territory of a municipality. The change in criteria would add counties to those to whom Section 81.033, Local Government Code would apply. Also add Subchapter L to Chapter 231 of the Local Government Code regarding zoning around Falcon Lake.

**Effective Date:** June 15, 2007

**SB 688**            **by Shapleigh**                            **House Sponsor: Quintanilla**

**Relating to the area served by certain municipal drainage utility systems.**

Expands the applicability of the exemption from the prohibition of extending a service area outside of its municipal boundaries for certain municipal drainage utility systems to municipalities with a population over 500,000 located within 50 miles of international border.

**Effective Date:** June 15, 2007

**SB 1012**          **by Williams**                            **House Sponsor: Eissler**

**Relating to the establishment of regional participation agreements between certain municipalities and districts; authorizing the issuance of bonds.**

Provides permissive authority for certain municipalities and certain large, planned communities in unincorporated areas to mutually agree on the selection and funding of mutually beneficial regional programs and projects, and in consideration of such financial participation by the unincorporated area, provision may be made in a regional participation agreement (RPA) for the deferral of annexation of the unincorporated area or the release of the unincorporated area from the ETJ of the municipality.

**Effective Date:** May 14, 2007

**SB 1836**          **by Jackson**                            **House Sponsor: Eiland**

**Relating to the management and control of certain port improvements and facilities.**

Clarifies the powers of the Port of Galveston with respect to management and control of port improvements and facilities and extends municipal economic development powers to the port to enable the port to establish economic development programs. Modifies the competitive bidding threshold from \$15,000 to \$25,000, which is consistent with current statutory authority for home rule municipalities. Adds validation language specifically applicable to the port and patterned after the validation language that currently governs municipalities.

**Effective Date:** September 1, 2007

**SB 1932** by Uresti

**House Sponsor: Puente**

**Relating to the assessment of charges by certain local governments to fund a stormwater permitting program under federal law.**

Authorizes a county, district, or authority to assess reasonable charges to fund the implementation, administration, and operation of the storm water permitting program under the NPDES established by the Federal Water Pollution Control Act. A county, district, or authority may not assess a charge against property that is exempt from ad valorem taxes or subject to an assessment for the same purpose by another entity.

**Effective Date:** September 1, 2007

## Utilities

**HB 149** by Phillips Senate Sponsor: Estes

**Relating to rates charged for water or sewer services by an entity that takes over a nonfunction water or sewer system.**

Requires TCEQ to establish a procedure that allows a retail public utility that takes over the provision of services for a nonfunctioning retail water or sewer utility service provider to charge a reasonable rate for the services provided to the customers of the nonfunctioning system and to bill the customers for the services at that rate immediately to recover service costs. Also requires TCEQ to provide a reasonable period for the retail public utility that takes over the nonfunctioning system to bring the nonfunctioning system into compliance with TCEQ rules during which TCEQ is prohibited from imposing a penalty for any deficiency in the system that is present at the time the utility takes over the nonfunctioning system.

**Effective Date:** September 1, 2007

**HB 1391** by Turner Senate Sponsor: Whitmire

**Relating to the provision of water and utility service.**

Requires a regulatory authority for a public utility by rule or ordinance to adopt standards for maintaining sufficient water pressure for service to fire hydrants adequate to protect public safety in residential areas in a municipality with a population of 1,000,000 or more. Requires the TCEQ to assess in those areas to ensure that the regulatory authority for the area has adopted standards as provided in the bill, and that all public utilities serving the residential area are complying with such standards.

**Effective Date:** September 1, 2007

**HB 3475** by Gallego Senate Sponsor: Uresti

**Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.**

Grants Val Verde County the authority to acquire, construct, or operate a water supply system or sewage system and own or operate a utility to better serve and protect Amistad Lake from the continued development in the area. Grants the county authority until the area is annexed by the City of Del Rio which can then begin to provide the area with such services.

**Effective Date:** September 1, 2007

## Districts & Authorities

**HB 386** by Callegari Senate Sponsor: Hegar

**Relating to the repeal of the law creating the Texas Deepwater Port Authority.**

Repeals the chapter of the Water Code that created the Texas Deepwater Port Authority, which no longer exists.

**Effective Date:** June 15, 2007

**HB 536** by Truitt Senate Sponsor: Wentworth

**Relating to the consent required for a municipality to annex a water or sewer district.**

Authorizes certain municipalities to not obtain written consent of any other municipality when annexing an area in a water or sewer district that meets certain criteria.

**Effective Date:** September 1, 2007

**HB 542** by Bonnen Senate Sponsor: Janek

**Relating to the name of the Brazos River Harbor Navigation District of Brazoria County and the name of its governing body.**

Renames the “Brazos River Harbor Navigation District of Brazoria County” to Port Freeport. Also changes the name of the governing body to the “port commission” and its members to “port commissioners.”

**Effective Date:** March 28, 2007

**HB 713** by Callegari Senate Sponsor: Seliger

**Relating to the authority of a fresh water supply district to issue bonds or to enter into a contract to convey property to another water district or water supply corporation.**

Provides statutory authority for fresh water supply districts to enter into a contract to convey their facilities to another authorized water district or water supply corporation in order to facilitate regional utility services and provide affordable utility services to their customers.

**Effective Date:** September 1, 2007

**HB 1127** by Creighton Senate Sponsor: Nichols

**Relating to the issuance of bonds for recreational facilities by certain conservation and reclamation districts in Montgomery County.**

Includes Montgomery County as a county whose conservation and reclamation districts are authorized to issue bonds for recreational facilities, with the exception of districts in certain areas.

**Effective Date:** June 15, 2007

**HB 1311 by Bonnen Senate Sponsor: Janek**

**Relating to requiring certain municipalities to disannex land owned by a navigation district.**

Requires a municipality with a population of less than 30,000, that borders the Gulf of Mexico, and that is adjacent to a county with a population of one million or more, to disannex land owned by a navigation district unless the district notifies the municipality in writing that the district elects that the land not be disannexed. Specifically, prohibits the City of Freeport from annexing land owned by the Port of Freeport.

**Effective Date:** May 23, 2007

**HB 1312 by Bonnen Senate Sponsor: Janek**

**Relating to the annexation by certain municipalities of land owned by a navigation district.**

Requires a municipality with a population of less than 30,000, that borders the Gulf of Mexico, and that is adjacent to a county with a population of one million or more, that seeks to annex land owned by a navigation district, to have the consent of the navigation district to annex the land.

**Effective Date:** May 23, 2007

**HB 1314 by Bailey Senate Sponsor: Jackson**

**Relating to the regulation and financing of water and sewer utility systems in certain counties; providing a civil penalty.**

Expands the authority of counties to finance, acquire, an doperate water and sewer systems. Authorizes a county with a population of 3.3 million or more to prohibit installation of water wells or on-site wastewater systems to certain properties that are already capable of being served by existing water or sewer utilities, and allows the eligible county and adjacent counties to prohibit installation of a water or sewer utility to serve property that is already capable of being served by an existing system.

**Effective Date:** June 15, 2007

**HB 1401 by Dutton Senate Sponsor: Gallegos**

**Relating to the powers and duties of the Harris County Municipal Utility District No. 402 regarding road projects; providing authority to impose a tax and issue bonds.**

Authorizes the district to impose taxes, issue bonds and obligations, and use eminent domain to provide road services to the district.

**Effective Date:** September 1, 2007

**HB 1498 by Hopson Senate Sponsor: Eltife**

**Relating to the creation of the Panola County Groundwater Conservation District; providing authority to impose a tax and issue bonds.**

Creates the Panola County Groundwater Conservation District, subject to approval at a confirmation election, to manage, monitor, and conserve Panola County's groundwater resources.

**Effective Date:** June 15, 2007

**HB 1565 by Puente Senate Sponsor: Uresti**

**Relating to the board of directors of the Bexar Metropolitan Water District.**

Requires the Bexar Metropolitan Water District to prepare various reports to the TCEQ and to the oversight committee. The district would be required no later than 18 months after the applicable section of the bill becomes effective to adopt a uniform rate structure with rates that are equal to or lower than the rates of other large retail water providers in the region, except that the district may adopt higher rates if necessary to meet debt service obligations or debt coverage requirements. Creates the Bexar Metropolitan Water District Oversight Committee to provide state oversight and regulation of the Bexar Metropolitan Water District. Requires the TCEQ not later than the 30th day after the effective date of the bill to begin an on-site evaluation of the district, and establishes what should be included in the evaluation. TCEQ would be required to file copies of the completed evaluation with the oversight committee.

**Effective Date:** June 15, 2007

**HB 1573 by Keffer Senate Sponsor: Estes**

**Relating to the creation, administration, powers, duties, functions, operations, and financing of the Fort Griffin Special Utility District.**

Creates the Fort Griffin Special Utility District and dissolves the Shackelford Water Supply Corporation (SWSC) as defined in Certificate of Convenience and Necessity No. 11637.

**Effective Date:** June 15, 2007

**HB 1841 by Bonnen Senate Sponsor: Janek**

**Relating to the presumption of validity of an act or proceeding of a navigation district, its governing body, or certain corporations of the district.**

Extends to navigation districts the right to self-validate after two years if they are not the subject of a court challenge.

**Effective Date:** September 1, 2007

**HB 1886 by Callegari Senate Sponsor: West**

**Relating to the procurement methods of certain political subdivisions and certain other entities for the construction, rehabilitation, alteration or repair of certain projects.**

Authorizes a municipality, county, river authority, defense base development authority, certain municipally owned water utilities, or any other special district or authority authorized to enter into certain public works contracts to utilize design-build procedures for certain civil works projects. Provides for the requirements associated with the procedures. Authorization under the subchapter would not apply to a regional tollway authority created under Chapter 366, Transportation Code, a regional mobility authority created under Chapter 370, Transportation Code, or a water district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, with a population of less than 50,000.

**Effective Date:** September 1, 2007

**HB 2070** by Guillen Senate Sponsor: Zaffirini

**Relating to the confirmation election of the Duval County Groundwater Conservation District.**

Extends the deadline for the confirmation election for the district.

**Effective Date:** June 15, 2007

**HB 2072** by Guillen Senate Sponsor: Zaffirini

**Relating to the appointment of temporary directors and the confirmation election of the Starr County Groundwater Conservation District.**

Requires the temporary directors of the district to be appointed and charges those directors with holding an election to confirm the creation of the district. Authorizes Starr County to pay the expenses of the district's confirmation election.

**Effective Date:** June 15, 2007

**HB 2368** by Morrison Senate Sponsor: Hegar

**Relating to the composition of the board of navigation and canal commissioners of the Victoria County Navigation District.**

Increases the number of board members from three to five.

**Effective Date:** June 15, 2007

**HB 2442** by Laubenberg Senate Sponsor: Estes

**Relating to the powers, duties, operation, and financing of the Collin County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.**

Provides the district the ability to undertake road projects and to issue bonds and other obligations for road projects, upon approval of a two-thirds majority of voters in the district in order to allow for efficient development of the land and address local government requirements. This bill also authorizes the district to enter into contracts with other governmental entities for water and sewer service.

**Effective Date:** June 15, 2007

**HB 2444** by Oliveira Senate Sponsor: Lucio

**Relating to the powers of the Southmost Regional Water Authority.**

Allow the authority to purchase, construct, acquire, own, lease, operate, maintain, repair, improve, and extend inside its boundaries for water and wastewater projects, including disposal and control of all domestic industrial or communal wastes, whether fluids, solids, or composites. The bill enables the authority to contract with any person, or public or private entity to conduct the aforementioned projects; and provides the authority with all the powers and rights of procedure, financing, construction, maintenance, rehabilitation, operation, rulemaking, and administration as given in Section 59, Article XVI, Texas Constitution, and Chapters 49 and 51 of the Water Code.

**Effective Date:** June 15, 2007



**HB 2523** by Parker Senate Sponsor: Nelson

**Relating to the authority of the Denton County Municipal Utility District No. 6 to divide into two districts.**

Provides the district with authority to subdivide.

**Effective Date:** June 15, 2007

**HB 2734** by Gattis Senate Sponsor: Ogden

**Relating to the creation of the Williamson-Liberty Hill Municipal Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Williamson-Liberty Hill Municipal Utility District. Provides the district with the authority to impose a tax and issue bonds, and grants the power of eminent domain.

**Effective Date:** June 15, 2007

**HB 2782** by Otto Senate Sponsor: Williams

**Relating to the creation of the Liberty County Municipal Utility District No. 5.**

Creates a conservation and reclamation district to be known as Liberty County Municipal Utility District No. 5, over land to be developed as a residential community with related retail and commercial properties in Liberty County.

**Effective Date:** September 1, 2007

**HB 2983** by Creighton Senate Sponsor: Hegar

**Relating to a petition for the creation of a fresh water supply district.**

Requires a petition for creation of a fresh water supply district to be signed by a majority of landowners by value in the proposed fresh water supply district or, if there are more than 50 landowners in the proposed district, to be signed by at least 50 of those persons.

**Effective Date:** September 1, 2007

**HB 2984** by Creighton Senate Sponsor: Hegar

**Relating to the qualification of supervisors of a fresh water supply district.**

Requires that a person, to qualify for election as a supervisor, own land within the boundaries of a fresh water supply district and removes the requirement that the supervisor be a resident voter of the district.

**Effective Date:** September 1, 2007

**HB 3011** by Smith, W. Senate Sponsor: Jackson

**Relating to the creation of ship channel security districts by certain populous counties.**

Creates a ship channel security district that is a public-private partnership to help improve security with a ship channel area by assisting with the operations and maintenance of a security infrastructure.

**Effective Date:** June 15, 2007

**HB 3158** by Smith, W. Senate Sponsor: Williams

**Relating to the name, powers, and board of directors of the Chambers County-Cedar Bayou Navigation District.**

Adds two representatives from Baytown to the board of the Chambers County-Cedar Bayou Navigation District and changes the name of the district to the Cedar Bayou Navigation District.

**Effective Date:** June 15, 2007

**HB 3166** by Swinford Senate Sponsor: Brimer

**Relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.**

Makes nonsubstantive revisions to local laws concerning special districts, including conforming amendments.

**Effective Date:** April 1, 2009

**HB 3182** by Parker Senate Sponsor: Nelson

**Relating to the creation of the Tradition Municipal Utility District No. 2 of Denton County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Tradition Municipal Utility District No. 2 of Denton County (district). Provides this district with the authority to impose a tax and issue bonds, and grants the district a limited power of eminent domain.

**Effective Date:** September 1, 2007

**HB 3353** by Haggerty Senate Sponsor: Shapleigh

**Relating to the repeal of the authority of certain water supply or sewer service corporations to dissolve and transfer assets and liabilities to a municipality.**

Repeals authority granted to El Paso Water Utilities by the 79th Legislature, but provides continued legal authority for that authorization to continue after the repeal.

**Effective Date:** September 1, 2007

**HB 3378** by Truitt Senate Sponsor: Brimer

**Relating to the requirements governing municipal consent to the creation or expansion of certain water districts.**

Amends the Water Code to allow cities to require that a water district in the city's ETJ must meet the fire flow requirements adopted by that city as a condition to granting consent to the creation or expansion of the water district. Also authorizes a city to supplement its consent to the water district creation in settlement of a water rate dispute with a district, with the supplement's terms remaining in effect after the expiration of the consent unless the city and district agree otherwise.

**Effective Date:** June 15, 2007

**HB 3435** by Herrero Senate Sponsor: Hinojosa

**Relating to peace officers of navigation districts.**

Clarifies the authority and jurisdiction of port authority police officers who are not listed under Article 2.12, Code of Criminal Procedure, but who are in fact designated peace officers under the Texas Water Code, Chapter 60.

**Effective Date:** June 15, 2007

**HB 3634** by Deshotel Senate Sponsor: Williams

**Relating to the name and powers of the Jefferson County Waterway and Navigation District.**

Renames the district as the Sabine-Neches Navigation District of Jefferson County, Texas, and grants the authority to provide security and establish fees, charges, and tolls to the extent allowed by law for vessels to offset the cost of security.

**Effective Date:** June 15, 2007

**HB 3770** by Puente Senate Sponsor: Hegar

**Relating to the acquisition of road powers by a municipal utility district.**

Amends the Water Code to authorize any district or any petitioner seeking the creation of a municipal utility district to petition the TCEQ to acquire the power for the district to design, acquire, construct, finance, issue bonds for, and convey to this state, a county, or a municipality for operation and maintenance, a road that meets certain criteria. If the TCEQ issues an order approving the petition, the district may undertake a road project if the municipality or county that would operate and maintain the road project, or the Texas Department of Transportation if the state would operate and maintain the road project, has approved the plans and specifications of the road project.

**Effective Date:** June 15, 2007

**HB 3979** by Laubenberg Senate Sponsor: Estes

**Relating to the creation of the McKinney Municipal Utility Districts Nos. 1 and 2 of Collin County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the McKinney Municipal Utility District No. 1 of Collin County and McKinney Municipal Utility District No. 2 of Collin County. Provides the districts with authority to impose a tax and issue bonds; grants the power of eminent domain. This bill provides regulations regarding the creation, administration, powers, duties, operation, and financing of the districts.

**Effective Date:** September 1, 2007

**HB 3980** by Eiland Senate Sponsor: Jackson

**Relating to the navigation district powers and the confirmation of the Galveston County Municipal Utility District No. 67; providing authority to issue bonds.**

Extends the confirmation deadline for the district and provides the district with the powers of a navigation district.

**Effective Date:** June 15, 2007

**HB 3982** by Dutton Senate Sponsor: Whitmire

**Relating to the creation of the Harris County Municipal Utility District No. 494; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Harris County Municipal Utility District No. 494 to encompass an area of land inside the corporate limits or extraterritorial jurisdiction of the City of Houston to serve as a financing vehicle to purchase, acquire, and construct public infrastructure, such as water, sewer, drainage, and roadway facilities.

**Effective Date:** September 1, 2007

**HB 3984** by Phillips Senate Sponsor: Estes

**Relating to the creation of the Double Platinum Ranch Water Control and Improvement District No. 1 of Grayson County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates and provides regulations regarding the creation, administration, powers, duties, operation, and financing of the Double Platinum Ranch Water Control and Improvement District No. 1 of Grayson County. The district is also empowered to impose a tax and issue bonds.

**Effective Date:** September 1, 2007

**HB 3988** by Murphy Senate Sponsor: Patrick

**Relating to the creation of the Harris County Municipal Utility District No. 438; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Harris County Municipal Utility District No. 438, and grants all of the powers granted to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article 3, Section 52 of the Texas Constitution.

**Effective Date:** June 15, 2007

**HB 3989** by Murphy Senate Sponsor: Patrick

**Relating to the creation of the Harris County Municipal Utility District No. 437; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Harris County Municipal Utility District No. 437, and grants all of the powers granted to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article 3, Section 52 of the Texas Constitution.

**Effective Date:** June 15, 2007

**HB 3990** by Aycock Senate Sponsor: Fraser

**Relating to the creation of the Burnet County Water Control and Improvement District No. 1; providing authority to impose a tax and issue bonds.**

Creates Burnet County Water Control and Improvement District No. 1 and enumerates its powers, duties and obligations, and authorizes the district to have road powers pursuant to Article 3, Section 52, of the Texas Constitution.

**Effective Date:** September 1, 2007

**HB 3991** by King, P. Senate Sponsor: Estes

**Relating to the creation of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County to serve as a financing vehicle to purchase, acquire, and construct public infrastructure, such as water, sewer, drainage, and roadway facilities.

**Effective Date:** September 1, 2007

**HB 3995** by Chisum Senate Sponsor: Duncan

**Relating to the name, administration, powers, and duties of the Collingsworth County Underground Water Conservation District.**

Provides for the Collingsworth County Underground Water Conservation District to change its name and sets the number of single-member districts allowed in the Water Conservation District.

**Effective Date:** September 1, 2007

**HB 3998** by Creighton Senate Sponsor: Williams

**Relating to the creation of the Southeast Montgomery County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Southeast Montgomery County Municipal Utility District No. 1, with all the powers granted to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, with road powers pursuant to Article 3, Section 52 of the Constitution of Texas.

**Effective Date:** June 15, 2007

**HB 4004** by Vo Senate Sponsor: Ellis

**Relating to the creation of the International Management District; providing authority to impose assessments and taxes and to issue bonds.**

Creates the International Management District to administer and provide funding for neighborhood improvement projects and services. The district will be a municipal management district similar to those operating pursuant to Chapter 375 (Municipal Management Districts in General), Local Government Code, and Title 4 (Development and Improvement), Special District Local Laws Code.

**Effective Date:** June 15, 2007

**HB 4006** by Olivo Senate Sponsor: Janek (Companion to SB 1070)

**Relating to the creation of Booth Ranch Municipal Utility District of Fort Bend County, Texas; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates the Booth Ranch Municipal Utility District in Fort Bend County to provide water and sewer services to some residents not currently served by cities.

**Effective Date:** June 15, 2007

**HB 4009** by Hilderbran Senate Sponsor: Uresti

**Relating to the name, directors, and elections of the Emerald Underground Water Conservation District.**

Changes the district's name to the Crockett County Groundwater Conservation District. Changes the election date to November, and allows the district to contract with the county to hold its elections.

**Effective Date:** September 1, 2007

**HB 4010** by Eiland Senate Sponsor: Janek (Companion to SB 1071)

**Relating to the creation of the Cade Ranch Water Control and Improvement District No. 1 of Galveston County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Cade Ranch Water Control and Improvement District No. 1 of Galveston County.

**Effective Date:** September 1, 2007

**HB 4015** by Otto Senate Sponsor:

**Relating to the powers and duties of the East Montgomery County Improvement District; providing authority to impose a tax.**

Makes certain changes concerning the administration, powers, and indebtedness of the East Montgomery County Improvement District, including providing the authority to impose a tax.

**Effective Date:** June 15, 2007

**HB 4017** by Smith, W. Senate Sponsor: Whitmire

**Relating to the creation of the Harris County Municipal Utility District No. 510; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Harris County Municipal Utility District No. 510, located inside the extraterritorial jurisdiction of the City of Baytown, Texas. Empowers the district with authority to impose a tax and issue bonds; grants the power of eminent domain. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** September 1, 2007

**HB 4018** by Van Arsdale Senate Sponsor: Patrick

**Relating to the powers and duties of the Harris County Municipal Utility District No. 416; providing authority to impose a tax and issue bonds.**

Amends the powers of the Harris County Municipal Utility District No. 416 to provide the district with limited road powers. The district lies within the extraterritorial jurisdiction of the City of Houston in Harris County, Texas.

**Effective Date:** June 15, 2007

**HB 4019** by Zerwas Senate Sponsor: Hegar

**Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 4; providing authority to impose a tax and issue bonds.**

Amends the powers of Cinco Southwest Municipal Utility District No. 4, to include limited road powers.

**Effective Date:** June 15, 2007

**HB 4022** by Zerwas Senate Sponsor: Hegar

**Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 58; providing authority to impose a tax and issue bonds.**

Amends the powers of the Fort Bend County Municipal Utility District No. 58 to include limited road powers, including the power of eminent domain.

**Effective Date:** June 15, 2007

**HB 4024** by Zerwas Senate Sponsor: Hegar

**Relating to the creation of the Fort Bend County Municipal Utility District No. 190; providing authority to impose a tax and issue bonds.**

Creates the Fort Bend County Municipal District No. 190, with all of the powers granted to municipal utility districts operating pursuant to Chapters 49 (Provisions Applicable to all Districts) and 54 (Municipal Utility Districts), Water Code, with road powers pursuant to Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article 3, Texas Constitution.

**Effective Date:** June 15, 2007

**HB 4028** by Geren Senate Sponsor: Brimer

**Relating to the creation of the Northern Trinity Groundwater Conservation District.**

Creates the Northern Trinity Groundwater Conservation District in Tarrant County, which encompasses the entire county. The county commissioners will appoint one director from each of the four county commissioner precincts. The county judge will appoint the fifth director. The district will be fee based and will not have authority to impose taxes, issue bonds, or exercise the power of eminent domain.

**Effective Date:** June 15, 2007

**HB 4029** by Morrison Senate Sponsor: Hegar

**Relating to the creation of the Lavaca County Groundwater Conservation District; providing authority to impose a tax.**

Creates the Lavaca County Groundwater Conservation District and enumerates its powers, duties, and obligations. Provides that the district must be confirmed by the voters of Lavaca County.

**Effective Date:** June 15, 2007

**HB 4031** by **Bonnen** Senate Sponsor: **Jackson**

**Relating to the creation of the Brazoria County Municipal Utility District No. 62; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Brazoria County Municipal Utility District No. 62, and provides that the district would have all the powers granted to municipal utility districts operating pursuant to Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility Districts), Water Code, and with road powers pursuant to Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III, Texas Constitution.

**Effective Date:** September 1, 2007

**HB 4032** by **Cook, R.** Senate Sponsor: **Hegar**

**Relating to the creation of the Colorado County Groundwater Conservation District; providing authority to impose a tax and issue bonds.**

Creates the Colorado County Groundwater Conservation District and enumerates its powers, duties, and obligations. Provides that the district must be confirmed by the voters of Colorado County.

**Effective Date:** June 15, 2007

**HB 4038** by **Howard, C.** Senate Sponsor: **Whitmire**

**Relating to the powers and duties of the Harris County Municipal Utility District No. 473; providing authority to impose a tax and issue bonds.**

Amends the powers of Harris County Municipal Utility District No. 473, to provide the district with limited road powers pursuant to Article 3, Section 52 of the Constitution of Texas. The district lies in the corporate limits of the City of Baytown and in Harris County. Currently, the district provides water, sewer, drainage and park facilities to land located within the boundaries of the district.

**Effective Date:** June 15, 2007

**HB 4041** by **Rose** Senate Sponsor: **Wentworth**

**Relating to the powers and duties of the Sunfield Municipal Utility District No. 3 regarding elections and road projects; providing authority to impose a tax and issue bonds.**

Creates the Sunfield County Municipal Utility District No. 3, and provides for additional powers for the district related to the construction, maintenance, operation, and financing of roads or turnpikes. Empowers the district, to purchase, acquire, or construct facilities for roads to serve the future occupants of the land utilizing tax-exempt bonds.

**Effective Date:** June 15, 2007

**HB 4042** by **Rose** Senate Sponsor: **Wentworth**

**Relating to the powers and duties of the Sunfield Municipal Utility District No. 4 regarding elections and road projects; providing authority to impose a tax and issue bonds.**

Adds certain powers and duties to the Sunfield Municipal Utility District No. 4 relating to road projects, elections, and the ability to impose taxes and issue bonds.

**Effective Date:** June 15, 2007



**HB 4043** by Rose                      **Senate Sponsor: Wentworth**

**Relating to the powers and duties of the Sunfield Municipal Utility District No. 1 regarding elections and road projects; providing authority to impose a tax and issue bonds.**

Provides for additional powers for the Sunfield County Municipal Utility District No. 1 related to the construction, maintenance, operation, and financing of roads or turnpikes. Empowers the district to purchase, acquire, or construct facilities for roads to serve the future occupants of the land utilizing tax-exempt bonds.

**Effective Date:** June 15, 2007

**HB 4044** by Parker                      **Senate Sponsor: Estes**

**Relating to the qualifications and method of electing directors of the Mustang Special Utility District.**

Requires that a person be a resident of the district and a retail water or sewer service customer of the district to be eligible for election to the district's board of directors. Also authorizes the district's board of directors to provide for the election of some or all of the directors from single-member districts.

**Effective Date:** September 1, 2007

**HB 4045** by Callegari                      **Senate Sponsor: Patrick**

**Relating to the creation of the Towne Lake Management District; providing authority to levy an assessment, impose a tax, and issue bonds.**

Creates the Towne Lake Management District to administer and provide funding for economic development projects and services. The proposed district is located within Harris County and will be a municipal management district similar to those operating pursuant to Chapter 375 (Municipal Management Districts in General), Local Government Code, and Title 4 (Development and Improvement), Special Districts Local Laws Code.

**Effective Date:** June 15, 2007

**HB 4046** by Eissler                      **Senate Sponsor: Williams**

**Relating to the creation of the Montgomery County Municipal Utility District No. 104; providing authority to impose taxes and issue bonds.**

Creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 104, over a tract of land containing 1,073 acres of land in southern Montgomery County.

**Effective Date:** June 15, 2007

**HB 4053** by Eiland                      **Senate Sponsor: Jackson**

**Relating to the creation of the Galveston Grand Beach Management District; providing authority to levy an assessment, impose a tax, and issue bonds.**

Creates the Galveston Grand Beach Management District as a political subdivision of the state to administer and provide funding for community improvement projects and services in certain areas of the east end of the City of Galveston.

**Effective Date:** June 15, 2007

**HB 4056** by Rose                      **Senate Sponsor: Wentworth**

**Relating to the creation of the Hays County Municipal Utility District No. 6; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Hays County Municipal Utility District No. 6 and enumerates its powers, duties, and obligations.

**Effective Date:** June 15, 2007

**HB 4057** by Solomons                      **Senate Sponsor: Harris**

**Relating to the powers and duties of the Denton County Levee Improvement District No. 1 of Denton and Dallas Counties, Texas; providing authority to issue bonds.**

Grants additional authority to the Denton County Levee Improvement District No. 1 of Denton and Dallas Counties, which encompasses an area of land inside the corporate boundaries of the cities of Lewisville and Coppell, Texas, to provide the district with the power to finance a service or improvement project with assessments.

**Effective Date:** June 15, 2007

**HB 4061** by Parker                      **Senate Sponsor: Estes**

**Relating to the creation of the Denton County Municipal Utility District No. 7; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Denton County Municipal Utility District No. 7 and enumerates its powers, duties, and obligations. Provides that the district will have the combined traditional powers and duties of a municipal utility district, and the powers of divisibility, and authorizes the issuance of tax-exempt bonds to pay all or part of the costs of roads inside and outside the boundaries of the district if approved and built to the standards established by Denton County.

**Effective Date:** June 15, 2007

**HB 4067** by King, T.                      **Senate Sponsor: Zaffirini**

**Relating to the boundaries of the Zavala-Dimmit Counties Water Improvement District No. 1.**

Allows the district to annex all the areas that are within the Bermuda Reservoir into the district. The bill does not impact any pre-existing water rights.

**Effective Date:** June 15, 2007

**HB 4069** by Phillips                      **Senate Sponsor: Estes**

**Relating to the creation of specific water control and improvement districts and municipal utility districts; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates these special districts in Grayson County: the Double Platinum Ranch Water Control and Improvement District No. 1; the Kimberlin Ranch Municipal Utility Districts Nos. 1, 2, and 3; the King's Crossing Municipal Utility District; the Platinum Ranch Municipal Utility District No. 1; and the Sangani Ranch Municipal Utility District No. 1. The bill would also create the Four Seasons Ranch Municipal Utility District No. 1 of Denton County.

**Effective Date:** September 1, 2007

**HB 4070** by Eiland Senate Sponsor: Jackson

**Relating to the creation of the Galveston County Municipal Utility District No. 65; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Galveston County Municipal Utility District No. 65, and enumerates its powers, duties, and obligations, including road powers. Empowers the district to use eminent domain and to impose and issue taxes and bonds.

**Effective Date:** June 15, 2007

**HB 4072** by Gattis Senate Sponsor: Ogden

**Relating to the creation of the 3 B&J Municipal Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the 3 B&J Municipal Utility District to encompass approximately 545 acres of land in Williamson County outside the extraterritorial jurisdiction of the City of Georgetown. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** June 15, 2007

**HB 4074** by Eissler Senate Sponsor: Williams

**Relating to the creation of the Montgomery County Municipal Utility District No. 102; providing authority to impose taxes and issue bonds.**

Creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 102, over a tract of land containing 798 acres of land in southern Montgomery County.

**Effective Date:** June 15, 2007

**HB 4079** by Eissler Senate Sponsor: Williams

**Relating to the creation of the Montgomery County Municipal Utility District No. 119; providing authority to impose taxes and issue bonds.**

Creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 119, over a tract of land containing 589 acres of land in Montgomery County.

**Effective Date:** June 15, 2007

**HB 4080** by Talton Senate Sponsor: Jackson

**Relating to the creation of the Harris County Municipal Utility District No. 509; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Harris County Municipal Utility District No. 509, within the corporate limits of the City of Pearland and Harris County. Enumerates its powers, duties, and obligations, including road powers.

**Effective Date:** June 15, 2007

**HB 4083** by Eissler Senate Sponsor: Williams

**Relating to the creation of the Montgomery County Municipal Utility District No. 117; providing authority to impose taxes and issue bonds.**

Creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 117, over a tract of land containing 1,411 acres of land in southern Montgomery County.

**Effective Date:** June 15, 2007

**HB 4084** by Eissler Senate Sponsor: Williams

**Relating to the creation of the Montgomery County Municipal Utility District No. 120; providing authority to impose taxes and issue bonds.**

Creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 120, over a tract of land containing 545 acres of land in Montgomery County.

**Effective Date:** June 15, 2007

**HB 4085** by Laubenberg Senate Sponsor: Deuell

**Relating to the creation of the Triple Creek Municipal Management District; providing authority to levy an assessment, impose a tax, and issue bonds.**

Creates the Triple Creek Municipal Management District as a political subdivision of this state to administer and provide funding for improvement projects and services in the proposed district to be located in the corporate limits of the City of McLendon-Chisholm and in Rockwall and Kaufman counties.

**Effective Date:** June 15, 2007

**HB 4093** by Otto Senate Sponsor: Williams

**Relating to the creation of the Chambers-Liberty Counties Improvement District; providing authority to impose a tax and issue bonds.**

Creates an improvement district to be located partially in Chambers County and partially in Liberty County, an area desirable for commercial and industrial development. Combines the traditional powers and duties of a municipal utility district and the powers of a municipal management district.

**Effective Date:** June 15, 2007

**HB 4096** by Phillips Senate Sponsor: Estes

**Relating to the creation of the King's Crossing Municipal Utility District of Grayson County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the King's Crossing Municipal Utility District of Grayson County and enumerates its powers, duties, and obligations.

**Effective Date:** June 15, 2007

**HB 4097** by Phillips Senate Sponsor: Estes

**Relating to the creation of the Gunter Municipal Utility District No. 2; providing authority to impose taxes and issue bonds.**

Creates the Gunter Municipal Utility District No. 2 within the extraterritorial jurisdiction of the City of Gunter in Grayson County. Provides that the district would have all the powers granted to municipal utility districts and with road powers.

**Effective Date:** June 15, 2007

**HB 4098** by Phillips Senate Sponsor: Estes

**Relating to the creation of the Gunter Municipal Utility District No. 1; providing authority to impose taxes and issue bonds.**

Creates the Gunter Municipal Utility District No. 1 within the extraterritorial jurisdiction of the City of Gunter in Grayson County. Provides that the district would have all the powers granted to municipal utility districts and with road powers.

**Effective Date:** June 15, 2007

**HB 4099** by Phillips Senate Sponsor: Estes

**Relating to the creation of the Preston Summit Municipal Utility District No. 1 of Grayson County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Preston Summit Municipal Utility District No. 1 of Grayson County and provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district. The district is also empowered with the authority to impose a tax and issue bonds and is granted the power of eminent domain.

**Effective Date:** September 1, 2007

**HB 4101** by Parker Senate Sponsor: Estes

**Relating to the powers of the Talley Ranch Water Control and Improvement District No. 1 of Denton County; providing authority to impose a tax and issue bonds.**

Amends the powers of the Talley Ranch Water Control and Improvement District No. 1 of Denton County to provide the district with limited road powers, in order to purchase, acquire, or construct facilities for such roads to serve the future occupants of the land utilizing tax-exempt bonds.

**Effective Date:** September 1, 2007

**HB 4104** by Eissler Senate Sponsor: Williams

**Relating to the powers and duties of the Montgomery County Municipal Utility District No. 112; providing authority to impose a tax and issue bonds.**

Creates Montgomery County Municipal Utility District No. 112 and in order to purchase, acquire, or construct facilities for such roads to serve the future occupants of the land utilizing tax exempt bonds. Empowers the district with authority to impose a tax to repay bonds and provides regulations regarding the district having road powers.

**Effective Date:** September 1, 2007

**HB 4109** by Eissler Senate Sponsor: Williams

**Relating to the administration, powers, including taxing powers and the authority to issue bonds, boundaries, operations, financing, and dissolution of the Town Center Improvement District of Montgomery County, Texas.**

Authorizes regional participation agreements by certain large municipalities and certain large planned communities. Revises the current powers and authority of the district, subject to a confirmation election November of 2007, in order that the district may expand its current boundaries to include all of The Woodlands community and, on behalf of that community, may enter into and perform a regional participation agreement with the City of Houston.

**Effective Date:** June 15, 2007

**HB 4110** by Coleman Senate Sponsor: Whitmire

**Relating to the creation of the Harris County Improvement District No. 9; providing authority to impose a tax and issue bonds.**

Creates the Harris County Improvement District No. 9. to serve as a financing vehicle to purchase, acquire, and construct public infrastructure, such as water, sewer, drainage, and roadway facilities.

**Effective Date:** June 15, 2007

**HB 4111** by Smithee Senate Sponsor: Seliger

**Relating to the creation of the Randall County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Randall County Municipal Utility District No. 1 in an unincorporated area of Randall County to serve as a financing vehicle to purchase, acquire, and construct public infrastructure, such as water, sewer, drainage, and roadway facilities.

**Effective Date:** June 15, 2007

**HB 4112** by Eiland Senate Sponsor: Hegar

**Relating to the creation of the Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County in order to purchase, acquire, or construct facilities for navigation and road services to serve the needs of the district, which includes single-family residential and commercial property.

**Effective Date:** September 1, 2007

**HB 4114** by O'Day Senate Sponsor: Jackson

**Relating to the powers and financing of the Brazoria County Groundwater Conservation District.**

Makes revisions to language relating to definitions, exemptions, fees, and taxes needs to be updated in order to clarify the original intent of the bill, and authorizes the district to increase the maximum rate of export fees currently authorized to be imposed.

**Effective Date:** June 15, 2007

**HB 4134** by Miles **Senate Sponsor: Ellis**

**Relating to the creation of the Harris County Improvement District No. 10; providing authority to impose a tax and issue bonds.**

Creates the Harris County Improvement District No. 10 as a political subdivision of this state to administer and provide funding for improvement projects and services in the district.

**Effective Date:** June 15, 2007

**SB 162** by Shapiro **House Sponsor: Harper-Brown**

**Relating to property tax abatement agreements entered into by the Dallas County Utility and Reclamation District pertaining to single-family residential property and to the validation of certain actions of the district.**

Provides authority for the district to work out tax abatement agreements not to exceed a certain amount for single-family residential property.

**Effective Date:** June 15, 2007

**SB 323** by Deuell **House Sponsor: Brown, B.**

**Relating to the creation of the Fairfields Municipal Utility District of Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Fairfields Municipal Utility District of Kaufman County and enumerates its powers, duties, and obligations.

**Effective Date:** June 15, 2007

**SB 401** by Deuell **House Sponsor: Brown, B.**

**Relating to the creation of the Moore Farm Water Control and Improvement District No. 1 of Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Moore Farm Water Control and Improvement District No. 1 of Kaufman County and sets forth the standards, procedures, requirements and criteria for the administration, powers, duties, operation, and financing of the district. This bill also authorizes the district to impose a tax and issue bonds and other obligations.

**Effective Date:** September 1, 2007

**SB 404** by Zaffirini **House Sponsor: Gonzalez Toureilles**

**Relating to the Bee Groundwater Conservation District.**

Codifies the authority of the Bee County Groundwater Conservation District under the Special District Local Laws Code, but without substantive change to the existing law. The bill does not increase nor decrease the territory or authority of the district.

**Effective Date:** May 23, 2007

**SB 564** by Hegar House Sponsor: Garcia

**Relating to the name of the Calhoun County Navigation District.**

Changes the name of the Calhoun County Navigation District to the Calhoun Port Authority.

**Effective Date:** June 15, 2007

**SB 585** by Van de Putte House Sponsor: Leibowitz

**Relating to the authority of the Edwards Aquifer Authority to adopt rules relating to fire control.**

Requires that the Edwards Aquifer Authority board of directors adopt rules pertaining to fire control in the Edwards Aquifer recharge zone. Requires the board to consult with fire departments and fire marshals in those areas to adopt a plan to fight fires while protecting the aquifer.

**Effective Date:** June 15, 2007

**SB 610** by Duncan House Sponsor: Heflin

**Relating to the boundaries, powers, and governance of the Salt Fork Water Quality District.**

Expands the district to include Stonewall and Kent counties, and parts of Garza and Scurry counties. The bill clarifies the district's right, privileges, powers, and duties and makes existing language parallel to similar provisions in Chapter 65 (Special Utility Districts), Water Code. The bill also provides for a four-member board of directors appointed by the commissioners' court of each respective county.

**Effective Date:** June 15, 2007

**SB 657** by Seliger House Sponsor: Puente

**Relating to the threshold amount at which certain water districts are required to solicit competitive bids before awarding certain contracts and to the ability of such districts to enter those contracts.**

Revises the threshold contract amounts triggering competitive bid requirements to levels appropriate for current projects and purchases by districts. Allows a district created by special law that is limited to competitive bid requirements established in the district's enabling legislation to award contracts under the competitive bid thresholds established in general law through an appropriate resolution of the district's board.

**Effective Date:** September 1, 2007

**SB 671** by Ellis House Sponsor: Miles

**Relating to territory included in, and the validation of acts of, the Greater Southeast Management District.**

Reunifies the original territory of the Greater Southeast Management District as established by Section 1, Chapter 1476, Acts of the 77th Legislature.

**Effective Date:** May 18, 2007



**SB 682** by Hegar House Sponsor: Zerwas

**Relating to the creation of the Fulshear Municipal Utility District No. 1 of Fort Bend County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Fulshear Municipal Utility District No. 1 of Fort Bend County, and authorizes the district to impose a tax, issue bonds, and grants the district the power of eminent domain.

**Effective Date:** September 1, 2007

**SB 683** by Hegar House Sponsor: Zerwas

**Relating to the creation and powers of the Fort Bend County Municipal Utility District No. 182, including powers related to the construction, maintenance, operation, and financing of roads or turnpikes; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Provides regulations regarding the Fort Bend County Municipal Utility District No. 182, providing for additional powers for the district related to the construction, maintenance, operation, and financing of roads or turnpikes.

**Effective Date:** September 1, 2007

**SB 684** by Hegar House Sponsor: Zerwas

**Relating to the creation of the Waller County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Waller County Municipal Utility District No. 1, and provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** September 1, 2007

**SB 707** by Lucio House Sponsor: Flores

**Relating to the powers and duties of the Rio Grande Regional Water Authority and the establishment of a member conference.**

Creates an 18-member board for the Rio Grande Regional Water Authority board with 12 members appointed by the governor and removes the three members per county limit. This bill also requires the chair of the board to vote only to break ties and includes a watermaster as a non-voting member.

**Effective Date:** September 1, 2007

**SB 714** by Fraser House Sponsor: Puente

**Relating to reports regarding certain water wells required by a groundwater conservation district.**

Amends the Water Code to make permissive whether a groundwater conservation district requires that records be kept and reports made of the drilling, equipping, and completing of water wells and of the production and use of groundwater. Authorizes a district to adopt rules that would require an owner or operator of a registered or permitted water well to report groundwater withdrawals using reasonable and appropriate reporting methods and frequency.

**Effective Date:** September 1, 2007

**SB 747** by **Watson** House Sponsor: **Bolton**

**Relating to the authority of the Barton Springs-Edwards Aquifer Conservation District to charge certain fees and limit groundwater production during a drought.**

Increases production fees on all conditional permits and materially amended permits at their next renewal date to not more than the greater of 38 cents per thousand gallons or the raw surface water cost of other wholesale suppliers serving customers in the district. Also, existing historic permittees with no material amendments are grandfathered by this bill. Also addresses restrictions on groundwater production during periods of drought and extreme drought.

**Effective Date:** September 1, 2007

**SB 748** by **Hegar** House Sponsor: **Garcia**

**Relating to the dissolution of the Aransas County Conservation and Reclamation District.**

Dissolves the district and transfers any remaining assets to the City of Rockport.

**Effective Date:** June 15, 2007

**SB 853** by **Nichols** House Sponsor: **McReynolds**

**Relating to the creation, administration, powers, duties, functions, operations, and financing of the San Jacinto Special Utility District.**

Establishes the San Jacinto Special Utility District and dissolves the San Jacinto Water Supply Corporation.

**Effective Date:** June 15, 2007

**SB 878** by **Gallegos** House Sponsor: **Coleman**

**Relating to residential property exemptions from taxes, assessments, and impact fees in the Greater East End Management District.**

Authorizes the district to impose a tax, impact fee, or assessment on a condominium that does not qualify for a homestead exemption.

**Effective Date:** June 15, 2007

**SB 919** by **Harris** House Sponsor: **Pierson**

**Relating to the creation of the Viridian Municipal Management District; providing the authority to issue bonds and impose taxes.**

Creates Viridian Municipal Management District of Tarrant County to administer and provide funding for community improvement projects and services in the district.

**Effective Date:** June 15, 2007

**SB 1041** by **Lucio** House Sponsor: **Lucio**

**Relating to the creation of the Los Fresnos Municipal Utility District No. 2 of Cameron County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Los Fresnos Municipal Utility District No. 2 of Cameron County, and provides standard district powers for water, sewer, drainage, and roads, including the use of eminent domain by the district, on the condition that the City of Los Fresnos has adopted a resolution consenting to the creation of the district.

**Effective Date:** September 1, 2007

**SB 1070** by **Janek** House Sponsor: **Olivo** (Companion to HB 4006)

**Relating to the creation of Booth Ranch Municipal Utility District of Fort Bend County, Texas; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates the Booth Ranch Municipal Utility District in Fort Bend County to provide water and sewer services to some residents not currently served by cities.

**Effective Date:** September 1, 2007

**SB 1071** by **Janek** House Sponsor: **Eiland** (Companion to HB 4010)

**Relating to the creation of Cade Ranch Water Control and Improvement District No. 1 of Galveston County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Cade Ranch Water Control and Improvement District No.1 of Galveston County. Authorizes the district to impose a tax and issue bonds and grants the district the power of eminent domain to provide water and sewage services to a proposed development in an unincorporated area of Galveston County.

**Effective Date:** September 1, 2007

**SB 1091** by **Nichols** House Sponsor: **McReynolds**

**Relating to the creation of the Somerset Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Somerset Municipal Utility District No. 1, and enumerates its powers, duties and obligations.

**Effective Date:** June 15, 2007

**SB 1092** by **Nichols** House Sponsor: **McReynolds**

**Relating to the creation of the Somerset Municipal Utility District No. 2; providing authority to impose a tax and issue bonds.**

Creates Somerset Municipal Utility District No. 2, and enumerates its powers, duties and obligations.

**Effective Date:** June 15, 2007

**SB 1123** by Ellis House Sponsor: Flores

**Relating to the creation of the Harris County Improvement District No. 8; providing authority to impose a tax and issue bonds.**

Creates the Harris County Improvement District No. 8, and enumerates its powers, duties and obligations.

**Effective Date:** June 15, 2007

**SB 1205** by Deuell House Sponsor: Brown, B.

**Relating to the powers and duties of the Kaufman County Municipal Utility District Nos. 2, 3, 4, 5, 6, and 7; providing authority to impose a tax and issue bonds.**

Authorizes road powers for the Kaufman County Municipal Utility Districts No. 2 through 7. Authorizes the districts to provide for the construction, maintenance, and operation of roads, subject to approval by an election by the qualified voters in the district.

**Effective Date:** September 1, 2007

**SB 1209** by Carona House Sponsor: Krusee

**Relating to the relocation of utility facilities required by improvement of a state highway.**

Extends the applicability of the current provisions requiring TxDOT and a utility company to share the costs of the relocation of a utility facility from 2007 to 2013 for utility companies that choose not to enter into a prepayment plan, as set forth in the bill. Authorizes TxDOT to enter into prepayment agreements with utility companies, upon a utility's request, that provide for reimbursement of the costs of relocation and set forth the criteria required for such agreements.

**Effective Date:** May 17, 2007

**SB 1245** by Wentworth House Sponsor: Macias

**Relating to the creation of Kendall County Water Control and Improvement District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Kendall County Water and Control and Improvement District No. 2. under Chapters 49 (Provisions Applicable to All Districts) and 51 (Water Control and Improvement Districts), Water Code, in order to purchase, acquire, or construct facilities for such services to serve the future occupants of the land utilizing tax exempt bonds. Empowers the district to impose taxes, to issue bonds, and to exercise the power of eminent domain. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** September 1, 2007

**SB 1396** by Williams House Sponsor: Morrison

**Relating to the filing of a conflicts disclosure statement by a vendor or member of a governing body of a port authority or navigation district.**

Repeals Subchapter P, Chapter 60, Water Code since it created competing and conflicting laws regarding interest disclosure by local government officials. Officials of navigation districts, port authorities, and persons conducting business with these government entities will continue to be required to comply with Chapter 176, Local Government Code.

**Effective Date:** June 15, 2007

**SB 1439** by Hegar House Sponsor: Callegari

**Relating to the annexation powers of the West Fort Bend Management District.**

Authorizes the West Fort Bend Management District to annex additional territories into the district.

**Effective Date:** June 15, 2007

**SB 1526** by Hegar House Sponsor: Guillen

**Relating to regulation by the Brookshire-Katy Drainage District of the construction of drainage facilities or improvements.**

Authorizes the district to adopt rules to exempt from their requirements a drainage facility or improvement on or to serve a tract of land in the district if the facility or improvement does not create an aggregate impervious area of more than one acre.

**Effective Date:** September 1, 2007

**SB 1535** by Fraser House Sponsor: Hilderbran

**Relating to the issuance of bonds by a municipality for a defined area in an abolished municipal utility district; authorizing a tax.**

Authorizes a municipality that annexes and abolishes a municipal utility district, which has voted but not issued bonds payable from ad valorem taxes on a part of the district, to issue municipal bonds in the amount voted but not issued by the district, with the municipal bonds payable from the proceeds of an ad valorem tax levied on only the part of the district where the original tax was authorized. Also authorizes a municipality, as an alternative to the issuance of such bonds, to establish on its own motion a public improvement district for the purpose of issuing and selling municipal bonds in the amount not to exceed the amount of the bonds not issued by the district for the purpose of carrying out the purposes for which the district bonds were voted.

**Effective Date:** June 15, 2007

**SB 1660** by Wentworth House Sponsor: Rodriguez

**Relating to the creation of the Travis-Creedmoor Municipal Utility District; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates the Travis-Creedmoor Municipal Utility District under Chapter 49 (Provisions Applicable to All Districts) and Chapter 54 (Municipal Utility Districts), Water Code, in order to purchase, acquire, or construct facilities for such services needed to serve current and future occupants of the land utilizing tax exempt bonds. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district. The district is subject to a confirmation election.

**Effective Date:** May 21, 2007

**SB 1661** by Wentworth House Sponsor: Rose

**Relating to the creation, administration, powers, duties, functions, operations, and financing of the Goforth Special Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Goforth Special Utility District and dissolves Goforth Water Supply Corporation.

**Effective Date:** June 15, 2007

**SB 1743** by Eltife House Sponsor: Frost

**Relating to the powers of the Red River Redevelopment Authority; providing authority to issue bonds.**

Statutory change is necessary to give Red River Redevelopment Authority (RRRA) additional powers toward further potential redevelopment of Red River Commerce Park. Authorizes RRRA to exercise certain additional powers provided under the Development Corporation Act of 1979 and to a rural and urban transit district. Prohibits RRRA from imposing a tax and limits its use of the power of eminent domain.

**Effective Date:** September 1, 2007

**SB 1833** by Duncan House Sponsor: Swinford

**Relating to the administration and powers of the Canadian River Municipal Water Authority.**

Amends the regulations regarding the administration, powers, operation, and contracting of the district.

**Effective Date:** September 1, 2007

**SB 1942** by Deuell House Sponsor: Brown, B.

**Relating to the creation of the Gastonia-Scurry Special Utility District; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates the Gastonia-Scurry Special Utility District and dissolves the Gastonia-Scurry Water Supply Corporation. A confirmation election is required before September 1, 2009. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** June 15, 2007

**SB 1946** by Nichols House Sponsor: Rose

**Relating to the creation of the Hardin Store Road Municipal Utility District No. 1 of Montgomery County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Hardin Store Road Municipal Utility District No. 1 in Montgomery County. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** September 1, 2007

**SB 1950 by Duncan House Sponsor: Hardcastle**

**Relating to the name, governing body, and boundaries of the Tri-County Groundwater Conservation District.**

Changes the name of the Tri-County Groundwater Conservation District to the Gateway Groundwater Conservation District to reflect the composition of the district. Clarifies that Wilbarger County is not part of the district, which consists only of Foard and Hardeman counties, and that the district may annex counties in a manner that is consistent with Chapter 36 (Groundwater Conservation Districts), Water Code.

**Effective Date:** May 23, 2007

**SB 1953 by Hegar House Sponsor: Garcia**

**Relating to the name, commissioners, and powers of the Aransas County Navigation District No. 1.**

Changes the structure of the district's election schedule by staggering and lengthening the terms of office for its commissioners to match the election schedule and terms utilized by the Aransas County Commissioners Court. Deletes "No. 1" from the district's name. Authorizes the district to purchase or lease property in the same manner as a county.

**Effective Date:** September 1, 2007

**SB 1954 by Hegar House Sponsor: Zerwas**

**Relating to the creation of the Waller County Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates Waller County Municipal Utility District No. 2 in the unincorporated areas of Waller County and partially within the extraterritorial jurisdiction of the City of Brookshire.

**Effective Date:** June 15, 2007

**SB 1955 by Hegar House Sponsor: Zerwas**

**Relating to the creation of the Waller County Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Waller County Municipal Utility District No. 3 in the corporate limits and extraterritorial jurisdiction of the City of Brookshire and within the unincorporated territory of Waller County.

**Effective Date:** June 15, 2007

**SB 1960 by Hegar House Sponsor: Garcia**

**Relating to the creation of the Lamar Improvement District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Lamar Improvement District within the unincorporated areas of Aransas County in order to develop the land in the proposed area of the district.

**Effective Date:** May 23, 2007

**SB 1961** by Hegar House Sponsor: Zerwas

**Relating to the creation of the Willow Creek Farms Municipal Utility District; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Willow Creek Farms Municipal Utility District in Waller County in order to develop the land in the proposed area of the district.

**Effective Date:** June 15, 2007

**SB 1963** by Nichols House Sponsor: Creighton

**Relating to the creation of the Montgomery County Municipal Utility District No. 113; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Montgomery County Municipal Utility District No. 113, which will have all of the powers granted to the municipal utility districts, with road powers.

**Effective Date:** June 15, 2007

**SB 1964** by Nichols House Sponsor: Creighton

**Relating to the creation of the Montgomery County Municipal Utility District No. 114; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Montgomery County Municipal Utility District No. 114, which will have all of the powers granted to the municipal utility districts, with road powers.

**Effective Date:** June 15, 2007

**SB 1965** by Nichols House Sponsor: Creighton

**Relating to the creation of the Montgomery County Municipal Utility District No. 121; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Montgomery County Municipal Utility District No. 121, which will have all of the powers granted to the municipal utility districts, with road powers.

**Effective Date:** June 15, 2007

**SB 1966** by Nichols House Sponsor: Creighton

**Relating to the creation of the Montgomery County Municipal Utility District No. 123; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Montgomery County Municipal Utility District No. 123, which will have all of the powers granted to the municipal utility districts, with road powers.

**Effective Date:** June 15, 2007



**SB 1967** by Nichols                      **House Sponsor: Creighton**

**Relating to the creation of the Montgomery County Municipal Utility District No. 124; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Montgomery County Municipal Utility District No. 124, which will have all of the powers granted to the municipal utility districts, with road powers.

**Effective Date:** June 15, 2007

**SB 1969** by Hegar                      **House Sponsor: Kolkhorst**

**Relating to the creation of the Las Damas Management District; providing authority to levy an assessment, impose a tax, and issue bonds.**

Creates the Las Damas Management District as a political subdivision of this state to administer and provide funding for economic development projects and services in the district, which is located in the unincorporated area of Austin County.

**Effective Date:** June 15, 2007

**SB 1974** by Whitmire                      **House Sponsor: Howard, C.**

**Relating to the powers and duties of the Harris County Municipal Utility District No. 473; providing authority to impose a tax and issue bonds.**

Amends the powers of Harris County Municipal Utility District No. 473, which lies in the corporate limits of the City of Baytown and in Harris County. Currently, the district provides water, sewer, drainage and park facilities to land located within the boundaries of the district. This bill would provide the district with limited road powers pursuant to Article 3, Section 52 of the Constitution of Texas.

**Effective Date:** June 15, 2007

**SB 1977** by Janek                      **House Sponsor: Olivo**

**Relating to the creation of Fort Bend County Municipal Utility District No. 189; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates Fort Bend County Municipal Utility District No. 189, which lies within the extraterritorial jurisdiction of the City of Alvin and in Fort Bend County. The district would have all of the powers granted to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code.

**Effective Date:** May 22, 2007

**SB 1978** by Janek                      **House Sponsor: Olivo**

**Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 19; providing authority to impose a tax and issue bonds.**

Creates the Fort Bend County Levee Improvement District No. 19 to build roads in an unincorporated area of Fort Bend County.

**Effective Date:** May 23, 2007

**SB 1981** by Hegar House Sponsor: Cook, R.

**Relating to the terms of office for directors of the Lost Pines Groundwater Conservation District.**

Eliminates the limit on the number of terms that a member of the board of directors of the Lost Pines Groundwater Conservation District in Bastrop and Lee counties may serve.

**Effective Date:** May 23, 2007

**SB 1982** by Wentworth House Sponsor: Kuempel

**Relating to the creation of the York Valley Municipal Utility District; providing authority to impose taxes and issue bonds; granting the power of eminent domain.**

Creates the York Valley Municipal Utility District and provides for the administration, powers, duties, operation, and financing of the district. Empowers the district to purchase, acquire, and construct infrastructure, including roads, to serve the future occupants of the district.

**Effective Date:** May 23, 2007

**SB 1984** by Ellis House Sponsor: Allen, A.

**Relating to the creation of the Spectrum Management District; providing authority to levy an assessment, impose a tax, and issue bonds.**

Creates the Spectrum Management District to administer and provide funding for economic development projects and services in the District, which is located in the corporate limits of the City of Pearland and in Harris County. The District will be a municipal management district similar to those operating under Chapter 375, Local Government Code, and Title 4, Special Districts Code.

**Effective Date:** June 15, 2007

**SB 1985** by Averitt House Sponsor: Dunnam

**Relating to the creation of the McLennan County Groundwater Conservation District; providing authority to impose a tax and issue bonds.**

Creates the McLennan County Groundwater Conservation District and provides that the district must be confirmed by the voters of McLennan County. Provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** June 15, 2007

**SB 1986** by Hegar House Sponsor: Zerwas

**Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.**

Amends the powers of the Cinco Southwest Municipal Utility District No. 1 to provide the district with limited road powers. Currently the district provides water, sewer, drainage, and park facilities to land located within the extraterritorial jurisdiction of the City of Houston and in Fort Bend County.

**Effective Date:** June 15, 2007

**SB 1987** by Hegar House Sponsor: Zerwas

**Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 2; providing authority to impose a tax and issue bonds.**

Grants the Cinco Southwest Municipal Utility District No. 2 limited road powers, including the use of eminent domain.

**Effective Date:** June 15, 2007

**SB 1988** by Hegar House Sponsor: Zerwas

**Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 3; providing authority to impose a tax and issue bonds.**

Grants the Cinco Southwest Municipal Utility District No. 3 limited road powers, including the use of eminent domain.

**Effective Date:** June 15, 2007

**SB 1989** by Hegar House Sponsor: Zerwas

**Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 4; providing authority to impose a tax and issue bonds**

Grants the Cinco Southwest Municipal Utility District No. 4 limited road powers, including the use of eminent domain.

**Effective Date:** June 15, 2007

**SB 1990** by Hegar House Sponsor: Garcia

**Relating to the creation of the Calhoun County Municipal Utility District No. 1; granting the power of eminent domain.**

Creates a conservation and reclamation district to be known as the Calhoun County Municipal Utility District No. 1, subject to the approval at a confirmation election held within the district before September 1, 2011. Also provides regulations regarding the creation, administration, powers, duties, operation, and financing of the district.

**Effective Date:** June 15, 2007

**SB 1991** by Hegar House Sponsor: Zerwas

**Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 58; providing authority to impose a tax and issue bonds.**

Amends the powers of the Fort Bend County Municipal Utility District No. 58 to add limited road powers including the power of eminent domain.

**Effective Date:** June 15, 2007

**SB 1993** by Nichols House Sponsor: Flynn

**Relating to the validation of acts and proceedings of the Lake View Management and Development District and the division of the district into two or more new districts.**

Authorizes the Lake View Management and Development District to divide into two or more separate districts under certain circumstances. The existing district is located entirely in Henderson County and is authorized to divide provided that there are no outstanding bonds and provided that no ad valorem taxes are being levied.

**Effective Date:** June 15, 2007

**SB 1997** by Jackson House Sponsor: Eiland

**Relating to the creation of the Galveston County Municipal Utility District No. 65; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Galveston County Municipal Utility District No. 65, encompassing an undeveloped area of land within the City of Texas City and Galveston County. Grants road powers, empowers the district to use eminent domain, and to impose and issue taxes and bonds.

**Effective Date:** June 15, 2007

**SB 1999** by Jackson House Sponsor: Davis, J.

**Relating to the creation of the NASA Area Management District; providing authority to impose an assessment, impose a sales and use tax, and issue bonds.**

Creates the NASA Area Management District as a political subdivision of the State of Texas to administer and provide funding for economic development projects and services located in the corporate limits of the City of Nassau Bay, Harris County.

**Effective Date:** June 15, 2007

**SB 2002** by Estes House Sponsor: King, P.

**Relating to the creation of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County to provide water, sewage, drainage, and road improvements to a 3,500-acre tract located between the towns of Rhome and Newark in southeast Wise County.

**Effective Date:** September 1, 2007

**SB 2014** by Nichols House Sponsor: Eissler

**Relating to the creation of the Magnolia Woods Municipal Utility District No. 1 of Montgomery, Waller, and Grimes Counties; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Magnolia Woods Municipal Utility District No. 1 of Montgomery, Waller, and Grimes Counties to purchase, acquire, or construct facilities for such services to serve occupants of the land utilizing tax exempt bonds. This bill empowers the district to use eminent domain and to impose taxes and issue bonds.

**Effective Date:** September 1, 2007

**SB 2020** by Seliger House Sponsor: Smithee

**Relating to the creation of the Randall County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.**

Creates the Randall County Municipal Utility District No. 1 in an unincorporated area of Randall County to serve as a financing vehicle to purchase, acquire, and construct public infrastructure, such as water, sewer, drainage, and roadway facilities.

**Effective Date:** June 15, 2007

**SB 2029** by Zaffirini House Sponsor: Garcia

**Relating to the election of directors of the San Patricio County Groundwater Conservation District and to the validation of certain acts of the district.**

Requires one director of the San Patricio County Groundwater Conservation District to be elected by the voters of the entire county and requires that one director is to be elected from voters in each justice of the peace precinct. Requires eligible candidates for director to be a registered voter in the district. This bill validates the acts, proceedings, and elections or appointments of the district occurring before the effective date of this act except for matters in litigation.

**Effective Date:** June 15, 2007

**SB 2042** by Watson House Sponsor: Strama

**Relating to the authority of the New Sweden Municipal Utility District No. 1 and municipalities with extraterritorial jurisdiction in the district to enter into annexation and tax allocation agreements.**

Creates an exception to Section 43.071 (Authority to Annex Water or Sewer District), Local Government Code, that provides that when a city annexes any territory in a municipal utility district, it is required to dissolve and annex the entire district. Authorizes the city and the New Sweden Municipal Utility District No. 1 to enter into an agreement to allocate tax revenues in a manner proportionate to the delivery of services.

**Effective Date:** June 15, 2007

**SB 2043** by Watson House Sponsor: Strama

**Relating to the authority of the New Sweden Municipal Utility District No. 2 and municipalities with extraterritorial jurisdiction in the district to enter into annexation and tax allocation agreements.**

Creates an exception to Section 43.071 (Authority to Annex Water or Sewer District), Local Government Code, that provides that when a city annexes any territory in a municipal utility district, it is required to dissolve and annex the entire district. Authorizes the city and the New Sweden Municipal Utility District No. 2 to enter into an agreement to allocate tax revenues in a manner proportionate to the delivery of services.

**Effective Date:** June 15, 2007

**SB 2054** by Deuell House Sponsor: Laubenberg

**Relating to the powers and duties of the Parker Creek Municipal Utility District of Rockwall County; providing authority to issue bonds.**

Amends the road powers already provided to the Parker Creek Municipal Utility District to allow the district to engage in road projects mutually agreed upon by the district and Royse City.

**Effective Date:** June 15, 2007