Table of Contents

Executive Summary ................................................................. 1
General Appropriations Act ....................................................... 3
Summary of TCEQ Sunset Legislation - HB 2694................................. 5
Agency Administration ............................................................. 7
  Employment & Benefits ......................................................... 7
  General ................................................................................. 8
  Information Resources ......................................................... 11
Agency Programs ....................................................................... 12
  Air ...................................................................................... 12
  Compliance & Enforcement ................................................. 17
  Energy Efficiency ............................................................... 19
  Occupational Licensing ....................................................... 20
  Remediation & Waste .......................................................... 21
  Water .................................................................................. 23
General Government ............................................................... 27
Local Government .................................................................... 30
Utilities, Districts & Authorities ................................................ 31
Executive Summary

During the 82\textsuperscript{nd} Legislative Session, the Legislature addressed several of Texas Commission on Environmental Quality’s programs and priorities. Below is a summary of some of the actions taken affecting the agency’s appropriation for various programs and decreases in FTEs, as well as examples of some key legislation that passed.

Program Appropriations
Under the Appropriations Act (HB 1), the agency will receive $693.2 million for the 2012-2013 biennium, which is a reduction of $305 million from 2010-2011 biennium.

Several programs were impacted by this reduction.
• TERP received $114 million for the biennium with a contingency appropriation of $8 million per year if revenue exceeds the biennial revenue estimate (BRE), a potential reduction of 50%.
• LIRAP/LIP is funded at $12.5 million for the biennium, an 88% reduction from the 2010-2011biennium.
• Petroleum Storage Tank (PST) program was appropriated $43.9 million for the biennium. A decrease of $8.3 million from the 2010-2011biennium.
• Superfund was appropriated $48.26 million for the biennium. A decrease of $13.3 million from the 2010-2011biennium.
• TCEQ grant programs received a 50% reduction from 2010-2011 levels. Air Quality Planning was appropriated $3.57 million and Local Solid Waste Planning was appropriated $10.89 million for the biennium.

FTEs
The agency’s FTE cap which reflects a 235 FTE reduction from the 2010-2011 biennium is 2,766.2. However, 9 FTEs in the surface casing program will be transferred to the Railroad Commission and 4 FTEs will be added for the Aggregate Production program. The net will be 2,761.2 FTEs for 2012/13.

Key Legislation
During the Session, the agency tracked 978 bills, and of those, the Legislature passed approximately 240 bills.

Below are examples of some key legislation that passed this Session:
• HB 451 - Requires the TCEQ to establish a "Don't Mess With Texas Water" program to prevent illegal dumping that affects surface waters of the state.
• HB 1981 - Modifies the TCEQ’s current Air Pollutant Watch List (APWL) process, including changes to the requirements for publishing notice and allowing public comment.
• HB 2694 - Continues the Texas Commission on Environmental Quality for 12 years, until 2023. Also makes changes to several program areas, such as focusing the Dam Safety Program on the most hazardous dams in the state, transferring the authority for making groundwater protection recommendations regarding oil and gas activities to the Railroad Commission, and increasing the maximum to $25,000 for almost all penalties and $5,000 for others, such as water rate penalties.
• SB 20 & SB 385 - Establishes three new grant programs under TERP: the natural gas vehicle rebate program, a program to fund natural gas fueling stations, and an alternative fueling facilities program.
• SB 329 - Creates a television equipment recycling program. Includes shared responsibility among consumers, retailers, manufacturers, and the state government for recycling covered television equipment.
• SB 1134 - Prohibits TCEQ from promulgating new or amending existing authorizations [Permits by Rule (PBR) or Standard Permits (SP)] for the oil and gas industry without performing a regulatory impact analysis (RIA), extensive monitoring, and correlated modeling.
• SB 1258 - Allows TCEQ to issue a Permit By Rule to enable counties or municipalities with a population of 10,000 or less to dispose of demolition waste from buildings that are abandoned or found to be a nuisance. Disposal could only occur on land that is owned by the county and would qualify for an arid exemption.
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Texas Commission on Environmental Quality (TCEQ)  
General Appropriations Act

2012-2013 Total Appropriations
- $693.2 million (does not include contingency rider appropriations)
  - a reduction of $305 million from 2010-2011 biennium

Method of Finance

<table>
<thead>
<tr>
<th></th>
<th>Totals</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>$11.6 million</td>
<td>2.0%</td>
</tr>
<tr>
<td>General Revenue-Dedicated</td>
<td>$584.9 million</td>
<td>84.0%</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>$78.6 million</td>
<td>11.0%</td>
</tr>
<tr>
<td>Other</td>
<td>$18.1 million</td>
<td>3.0%</td>
</tr>
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</table>

FTEs (includes new and transferred programs)

<table>
<thead>
<tr>
<th></th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,761.2</td>
<td>2,761.2</td>
</tr>
</tbody>
</table>

Contingency Rider Appropriations
- A contingency rider appropriates up to $4.8 million, if revenue exceeds the biennial revenue estimate (BRE) for the Operating Permit Fee Account. This appropriation amount will allow the agency to maintain the current level of activities in the Title V federal air permitting program.

- A contingency rider appropriates up to $500,000, if revenue exceeds the BRE for the Environmental Lab Accreditation Account. This will help enable the program to be self-supporting.

Significant Changes to Programs
- TERP received $114 million for the biennium with a contingency appropriation of $8 million per year if revenue exceeds the BRE, a potential reduction of 50%.

- LIRAP/LIP is funded at $12.5 million for the biennium, an 88% reduction from the 2010-2011 biennium.

- Petroleum Storage Tank (PST) program was appropriated $43.9 million for the biennium. A decrease of $8.3 million from the 2010-2011 biennium.

- Superfund was appropriated $48.26 million for the biennium. A decrease of $13.3 million from the 2010-2011 biennium.

- TCEQ grant programs received a 50% reduction from 2010-2011 levels. Air Quality Planning was appropriated $3.57 million and Local Solid Waste Planning was appropriated $10.89 million for the biennium.

- Groundwater Protection for Oil and Gas Drilling i.e. “surface casing program” was transferred to the Railroad Commission. The transfer includes a transfer of $1.6 million and 9 FTEs.
A new registration and inspection program for active aggregate production operations was created. TCEQ is required to survey the state on an annual basis for active aggregate production facilities, processes registration every year and inspect aggregate production operations every three years. The appropriation for this program is $535,368 for the biennium and 4 additional FTEs.

A new television equipment recycling program was created. This is separate from and more extensive than the existing computer equipment recycling program. The appropriation for this program is $300,000, for the biennium, from the Television Recycling Account.

**Significant Riders**

- **#26 Low Level Radioactive Waste Disposal Compact Commission:** provides $583,289 in fiscal year 2012 and $100,000 in fiscal year 2013 from the Low-Level Waste Account No. 88. An additional $483,289 is appropriated in fiscal year 2013 contingent on revenues to the Low-Level Waste Account No. 88 coming in above the BRE.

- **#33 Barnett Shale Permit By Rule Study:** Requires the TCEQ to conduct a study on the economic impact of extending the provisions of the Barnett Shale permit by rule to other areas of the state before the TCEQ may implement a rule that would extend the permit by rule beyond the Barnett Shale 23-county area.

### TCEQ Method of Finance (HB 1)

<table>
<thead>
<tr>
<th>Method of Finance</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>$5.93 million</td>
<td>$5.63 million</td>
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<tr>
<td>Low Level Waste # 088</td>
<td>$2.03 million</td>
<td>$2.03 million</td>
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<tr>
<td>Used Oil Recycling # 146</td>
<td>$865,000</td>
<td>$852,967</td>
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<tr>
<td>Clean Air #151</td>
<td>$52.46 million</td>
<td>$48.83 million</td>
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<tr>
<td>Water Resource Management #153</td>
<td>$55.74 million</td>
<td>$55.63 million</td>
</tr>
<tr>
<td>Watermaster Administration #158</td>
<td>$1.22 million</td>
<td>$1.22 million</td>
</tr>
<tr>
<td>Occupational Licensing #468</td>
<td>$1.68 million</td>
<td>$1.68 million</td>
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<tr>
<td>Waste Management #549</td>
<td>$28.06 million</td>
<td>$28.30 million</td>
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<tr>
<td>Hazardous &amp; Solid Waste Remediation Fee #550</td>
<td>$23.88 million</td>
<td>$23.96 million</td>
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<tr>
<td>Petroleum Storage Tank Remediation #655</td>
<td>$25.48 million</td>
<td>$18.48 million</td>
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<tr>
<td>Solid Waste # 5000</td>
<td>$5.49 million</td>
<td>$5.49 million</td>
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<tr>
<td>Environmental Testing Lab Accreditation #5065</td>
<td>$706,842</td>
<td>$706,842</td>
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<tr>
<td>Texas Emissions Reduction Plan #5071</td>
<td>$65.17 million</td>
<td>$65.17 million</td>
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<tr>
<td>Dry Cleaning Facility Release #5093</td>
<td>$3.72 million</td>
<td>$3.72 million</td>
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<tr>
<td>Operating Permit Fees #5094</td>
<td>$31.06 million</td>
<td>$31.05 million</td>
</tr>
<tr>
<td>Television Recycling</td>
<td>$150,000</td>
<td>$150,000</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>$39.17 million</td>
<td>$39.40 million</td>
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<tr>
<td>Other</td>
<td>$9.07 million</td>
<td>$9.07 million</td>
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### TCEQ Appropriation by Strategies

<table>
<thead>
<tr>
<th>Strategies</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment, Planning &amp; Permitting</td>
<td>$192.37 million</td>
<td>$188.69 million</td>
</tr>
<tr>
<td>Drinking Water &amp; Water Utilities</td>
<td>$14.42 million</td>
<td>$14.40 million</td>
</tr>
<tr>
<td>Enforcement &amp; Compliance Support</td>
<td>$56.09 million</td>
<td>$55.78 million</td>
</tr>
<tr>
<td>Pollution Cleanup</td>
<td>$46.66 million</td>
<td>$39.67 million</td>
</tr>
<tr>
<td>River Compact Commission</td>
<td>$402,477</td>
<td>$402,477</td>
</tr>
<tr>
<td>Indirect Administration</td>
<td>$41.95 million</td>
<td>$42.42 million</td>
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</tbody>
</table>
Summary of TCEQ Sunset Legislation - HB 2694

Article 1
- Continues the Texas Commission on Environmental Quality for 12 years, until 2023.
- Requires that TCEQ Commissioners resign their position if contributions are accepted for a campaign for an elected office.
- Provides for a process to allow PST remediation contractors currently cleaning up sites that have been eligible for reimbursement to continue their work.
- Provides direction to TCEQ to focus agency efforts on the most hazardous dams in the state.
- Allows agency to enter into agreements with dam owners regarding adequacy of dam or spillway, including timeline to comply.
- Exempts from dam safety regulations privately owned dams that impound less than 500 acre feet and are either low or significant hazard dams.

Article 2
- Transfers, on September 1, 2011, the authority for making groundwater protection recommendations regarding oil and gas activities from TCEQ to the Railroad Commission (RRC).
- Authorizes RRC, not TCEQ, to issue letters of determination associated with geologic storage of anthropogenic carbon dioxide (CO2).

Article 3
- Requires the Executive Director to provide assistance and education to the public on environmental matters under the agency’s jurisdiction.
- Focuses the Public Interest Counsel’s (PIC) efforts on representing the public interest in matters before the Commission.
- Requires the commission to define, by rule, factors PIC will consider in representing the public interest.

Article 4
- Requires changes to the current Compliance History program requirements.
- Requires the TCEQ to adopt a general enforcement policy, by rule, which includes calculating penalties to reduce an economic benefit gained through noncompliance.
- Increases the maximum to $25,000 for almost all penalties and $5,000 for others, such as water rate penalties.
- Adds language to allow local governments to apply penalty dollars levied on them by the commission toward the cost of compliance in the form of a Supplemental Environmental Project.
- Reinstates common carrier liability and provides affirmative defense conditions for common carriers of petroleum products.
- Expands the use of the PST remediation fee to remove underground or aboveground storage tanks if certain criteria are met.
- Reauthorizes the PST remediation fee at the current level with no expiration date.
- Increases the trigger to determine whether a water district can submit a financial report instead of an audit from $100,000 to $250,000 in gross receipts.
- Provides for a public hearing and submission of public comment on permit amendment applications submitted by electric generating facilities (EGFs) to solely comply with Maximum Achievable Control Technology (MACT).
- Provides specific timelines for agency to issue the MACT-related permit.

Article 5
- Requires water right holders to provide monthly water use reports to the commission upon request during times of drought or emergency shortages of water or to respond to a complaint.
- Authorizes that in a “period of drought or other emergency shortage of water” the executive director may temporarily suspend a water right and adjust the diversion of water between water right holders based on Texas Water Code Section 11.024 and Section 11.027.
• Directs the executive director to evaluate at least once every five years whether a watermaster should be appointed in water basins not covered under the jurisdiction of a watermaster. The results of the evaluation and subsequent recommendations would be reported to the commission.

Article 6
• Requires that the compact waste disposal fee must include funds to support the activities of the Low Level Radioactive Waste Disposal Compact Commission (TLLRWDCC) and creates a dedicated TLLRWDCC Account.
• Eliminates three existing water and wastewater utility application fees – rate changes, CCNs, and sale, transfer or merger of a CCN.

Article 7
• Requires the agency, when provided an electronic copy of a water rate case, to make it available to the public at a reasonable cost and at no cost to OPUC.

Article 8
• Abolishes Texas On-site Wastewater Treatment Research Council (TOWTRC) and transfers duties to TCEQ on September 1, 2011.

Article 9
• Allows e-mail to be used by public utilities and cities to send required notice of rate changes and for the public to send statement of intent.

Article 10
• Provides changes to Contested Case Hearings (CCH) process, including prohibiting a state agency from contesting the issuance of a permit or license by the commission under this subsection. Requires the ED to participate as a party in contested case hearings.
• Provides that for a SOAH hearing using pre-filed testimony, all discovery must be completed before the deadline for the submission of that testimony.
HB 14 by Murphy Senate Sponsor: Eltife
Relating to the qualification for unemployment benefits of a person receiving severance pay.
Amends the Labor Code relating to the eligibility for unemployment benefits of a person receiving certain forms of remuneration.
Effective Date: September 1, 2011

HB 1178 by Flynn Senate Sponsor: Birdwell
Relating to employment protection for members of the state military forces.
Amends the Government Code relating to employment protection for members of the state military forces. Also amends Subchapter D, Chapter 504 of the Transportation Code to require the DMV to issue Women Veterans specialty license plates for active and former members of United States armed forces, Texas National Guard, or Texas State Guard.
Effective Date: June 17, 2011
HB 1 by Pitts  Senate Sponsor: Ogden

Relating to appropriations for the 2012-2013 biennium.

TCEQ Appropriation is $693.2 million for the 2012-2013 biennium - a reduction of $305 million from the 2010-11 biennium.

Effective Date: September 1, 2011

HB 265 by Hilderbran  Senate Sponsor: Birdwell

Relating to the lease of space by or for a state agency.

Requires the Texas Facilities Commission to consider all available state-owned space in the state, regardless of geographic location, when making a determination to lease space for, or delegate a lease action to, another state agency.

Effective Date: September 1, 2011

HB 610 by Zerwas  Senate Sponsor: Seliger

Relating to the method of delivery of certain notices sent by the Texas Commission on Environmental Quality.

Requires the TCEQ to utilize electronic means of transmission for notices issued or sent by the agency to a state senator or representative, unless the senator or a representative has requested to receive notice by mail. Notices concerning facility permits would be required to include an Internet link to an electronic map indicating the location of the facility.

Effective Date: September 1, 2011

HB 1147 by Wayne Smith  Senate Sponsor: Wentworth

Relating to notice by a governmental entity regarding certain geospatial data products.

Requires a governmental entity to include a notice on each geospatial data product created or hosted by the entity that was not produced by, or under the supervision of, a professional land surveyor. The notice would state that the geospatial data product is for informational purposes only, does not represent an on-the-ground survey, and is an approximate representation of property boundaries. The notice is not required for geospatial data products that do not contain a legal description, do not contain property markers, do not contain the distance and direction of a property line, were prepared only for use in a legal proceeding, or are filed with the clerk of a court or a county clerk. Takes effect September 1, 2011 and applies only to a document printed on or after the effective date.

Effective Date: September 1, 2011
HB 1247  by Callegari  Senate Sponsor: Birdwell

Relating to the repeal of certain prohibitions on purchases of paper supplies and cabinets by state agencies.

Repeals Section 2051.021, Government Code. The repeal removes the restriction that agencies not purchase forms, bond paper, stationery, pads, or similar paper supplies that exceed 8.5 inches by 11 inches in size or a filing cabinet designed to store completed documents exceeding that size.

Effective Date: June 17, 2011

HB 1481  by Truitt  Senate Sponsor: Zaffirini

Relating to the use of person first respectful language in reference to individuals with disabilities.

Establishes the definition of "intellectual disability" in the Health and Safety Code, requires the Sunset Advisory Commission to consider respectful language in their 2013 session bill recommendations, requires health and human services agencies to use respectful language in all reference materials, publications, and electronic materials, and electronic media, and requires that the new language be used when referencing persons with mental retardation in general and wherever the term "retarded" is used in statute.

Effective Date: September 1, 2011

HB 1812  by Phillips  Senate Sponsor: Seliger

Relating to the type of newspaper required for publication of notice in certain counties.

Amends current law relating to the type of newspaper required for publication of notice in certain counties.

Effective Date: June 17, 2011

HB 2694  by Wayne Smith  Senate Sponsor: Huffman

Relating to the continuation and functions of the Texas Commission on Environmental Quality and abolishing the On-site Wastewater Treatment Research Council.

Continues the Texas Commission on Environmental Quality for 12 years, until 2023. See page 5 for an extensive summary of bill.

Effective Date: September 1, 2011

HB 2866  by Harper-Brown  Senate Sponsor: Ellis

Relating to the electronic submission of certain documents to the attorney general and the submission of certain documents by the attorney general.

Amends the Government Code and authorizes the Office of Attorney General (OAG) to impose and collect an administrative fee for the electronic submission of documents to the agency. In addition, the OAG is authorized to establish rules as necessary to implement, adjust and administer the fee.

Effective Date: June 17, 2011
HB 3333  by Pena        Senate Sponsor: Hegar

Relating to the authority of the governor to order the disconnection of state computer networks from the Internet.

Provides the governor the authority to order the disconnection of state networks as part of emergency operations to ensure continuity of government and the protection of sensitive information.

Effective Date: September 1, 2011

SB 602  by Rodriguez        House Sponsor: Marquez

Relating to allowing a governmental body to redact certain personal information under the public information law without the necessity of requesting a decision from the attorney general and the calculation of certain deadlines.

Allows governmental entities to redact certain personal information requested under the Public Information Act (PIA) without requiring a decision from the attorney general. Clarifies when a PIA request is officially received by an entity. Allows requestors receiving redacted information to seek an attorney general's decision. The Office of the Attorney General would establish procedures and deadlines for this appeal process. The OAG must issue a decision on the requestor’s appeal not later than the 45th business day after receiving the person’s request for a decision.

Effective Date: September 1, 2011

SB 1737  by Van de Putte       House Sponsor: Flynn

Relating to the use and accrual of leaves of absence for military training or duty for officers and employees of the state.

Authorizes a public employee who is a member of the state military forces and who is currently eligible for a paid leave of absence, for authorized training or duty, to carry forward unused leave not to exceed 45 workdays. In addition, specifies that a state employee called to federal active duty for certain purposes is entitled to receive paid leave for not more than 22 workdays without loss of military leave.

Effective Date: September 1, 2011
HB 266 by Hilderbran  

Relating to the use of address-matching software by certain state agencies.

Requires, when practicable, a state agency to use address-matching software meeting the United States Postal Service's Coding Accuracy Support System standards in the preparation of bulk Mailings. The requirements would apply to private vendor contracts with state agencies for bulk mail services.

Effective Date: September 1, 2011

SB 1618 by Seliger  

Relating to electronic reporting by certain state entities and to the review of continual report requirements.

Requires state agencies to submit all reports required by the legislature in electronic format. It also requires that school districts submit electronically any reports required by the Texas Education Agency. Additionally, it requires the Sunset Advisory Commission to review the reporting requirements imposed on each state agency as part of each agency’s Sunset Review process.

Effective Date: September 1, 2011
HB 1906 by Donna Howard Senate Sponsor: Fraser

Relating to the idling of motor vehicles.

Creates a Class C misdemeanor offense for violating a rule adopted by the TCEQ relating to a locally enforced motor vehicle idling limitation. A Class C misdemeanor is punishable by a fine of not more than $500.

Effective Date: September 1, 2011

HB 1981 by Wayne Smith Senate Sponsor: Gallegos

Relating to measuring, monitoring, and reporting emissions.

Modifies the TCEQ’s current Air Pollutant Watch List (APWL) process. The APWL would be required to identify each air contaminant to be included on the list and each geographic area of the state where ambient air monitoring indicates either individual or cumulative emissions may cause short-term or long-term health effects or odors. Includes requirements for publishing notice and allowing public comment on the addition or removal of a contaminant or area. The TCEQ must provide monitoring data related to the APWL area to the state senator and representative who represent the area. States that public meetings in APWL areas may be held to provide residents with information on the reasons for including an area on the APWL, and commission actions to reduce emissions of the specific air contaminant(s) in that APWL. Requires a responsible state agency to make a determination as to whether a release reported to the state emergency response commission (SERC) in accordance with Emergency Planning and Community Right-to-Know Act (EPCRA) would endanger human health or the environment. Upon determining a release would endanger human health or the environment, the TCEQ or other responsible state agency will be required, on request, to notify the state senator or representative who represents the area in which the facility is located within four hours of receipt of the notification.

Effective Date: September 1, 2011

HB 2280 by Eiland Senate Sponsor: Mike Jackson

Relating to the composition of the permanent advisory committee to advise the Texas Commission on Environmental Quality regarding the implementation of the ad valorem tax exemption for pollution control property.

Requires that at least one of the Tax Relief for Pollution Control Property Advisory Committee members be a representative of a school district or a junior college district in which property is or was previously subject to a property tax exemption under Tax Code, §11.31. TCEQ would be required to appoint the new member(s) as soon as practicable after the act becomes law.

Effective Date: June 17, 2011
HB 2357  by Pickett  Senate Sponsor: Williams

Relating to motor vehicles.

Establishes an electronic vehicle titling system and amends the definition of "commercial motor vehicle" in Transportation Code Section 502.001(7). The original definition of commercial motor vehicle included motor vehicles designed or used to transport property. The new language refers to the definition of a commercial motor vehicle in Transportation Code 644.001. Under this new definition, a commercial motor vehicle operated interstate would include a vehicle used to transport passengers or cargo and with a gross weight rating of more than 26,000 pounds, designed or used to transport more than 15 passengers, or used to transport hazardous cargo. Authorizes the collection of the Texas Emissions Reduction Plan (TERP) Surcharge amounting to 10 percent of the total fees due for the registration of a truck-tractor or commercial motor vehicle.

Effective Date: September 1, 2011 & January 1, 2012

HB 3268  by Lyne  Senate Sponsor: Estes

Relating to permits for air containment emissions of stationary natural gas engines used in combined heating and power systems.

Requires TCEQ to issue a standard permit or permit by rule for stationary natural gas engines. The permit by rule or standard permit may consider geographic location, including proximity to nonattainment areas, total annual hours of operation, technology used, type of fuel, and other emission control policies of the state. TCEQ is prohibited from distinguishing between the end-use functions powered by the stationary natural gas engine and the emission limits must be in terms of air contaminant emission per unit of total energy output. Primary and secondary functions will be considered when determining the engine’s emissions per unit of energy output. TCEQ is required to promulgate rules to issue a new standard permit or update the existing permit by rule for engines and turbines to remove the current restriction that natural gas engines cannot be used for electric generating units powered by engines or turbines. In addition, the agency must submit statutory and rule changes as revisions to the State Implementation Plan for approval by the Environmental Protection Agency.

Effective Date: June 17, 2011

HB 3272  by Burman  Senate Sponsor: Deuell

Relating to the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

Adds the definitions of an electric vehicle and natural gas vehicle and amends the definition of a hybrid vehicle for LIRAP purposes. Also changes the length of time that a vehicle must be registered in a LIRAP county to be eligible for the program from 12 months to at least 12 of the 15 months preceding the application for participation. Expands the replacement assistance that was reserved for hybrid vehicles to include hybrid, electric, natural gas, and federal Tier 2, Bin 3 or cleaner vehicles for the current model year or the previous three model years. Limits a replacement vehicle under the program to an odometer reading of not more than 70,000 miles and raises the total cost allowed to not more than $35,000 for certain vehicles and $45,000 for certain other vehicles, versus $25,000 for all vehicles under current law. Requires the TCEQ to establish a partnership with representatives from the steel industry, automobile dismantlers, and scrap metal recycling industry to ensure that vehicles retired under the LIRAP are scrapped or recycled.

Effective Date: September 1, 2011
HB 3399  by Legler  Senate Sponsor: Williams

Relating to the requirements for certain grant programs funded through the Texas emissions reduction plan.

Prescribes criteria for various procedures relating to the TERP program. In addition, prescribes specific guidelines for the implementation of the Texas Clean Fleet Program within TERP, including the reduction of the number of vehicles an entity must operate to participate in the program from 100 to 75. Requires the TCEQ to minimize, to the maximum extent possible, the amount of paperwork required for a TERP application.

Effective Date: September 1, 2011

SB 20  by Williams  House Sponsor: Strama

Relating to a grant program for certain natural gas motor vehicles.

Establishes three new grant programs under TERP: the natural gas vehicle rebate program, a program to fund natural gas fueling stations, and an alternative fueling facilities program. Of the 87.5 percent funds in the General Revenue-Dedicated TERP Account No. 5071, money allocated to the emissions reduction incentive programs, not less than 16 percent would be allocated to the natural gas vehicle rebate program; not more than 4 percent would be allocated for the refueling station program; and up to 2 percent could be used for the alternative fueling facilities program. Under the Alternative Fuels Facilities Program, the TCEQ shall establish and administer a program to provide grants for fueling facilities for alternative fuel in nonattainment areas. Entities that construct, reconstruct, or acquire an alternative fueling facility will be eligible to participate in the grant program. Under the Texas Natural Gas Vehicle Grant Program, TCEQ is directed to establish two new grant programs for funding the purchase or lease of natural gas vehicles or engines and the establishment of natural gas refueling stations along the interstate highways between Houston, San Antonio, and Dallas, and Fort Worth.

Effective Date: September 1, 2011

SB 197  by West  House Sponsor: Philips

Relating to the compulsory inspection of motor vehicles; providing penalties.

Permits the TCEQ to impose an administrative penalty for certain violations related to motor vehicle inspections. Requires applications for certification as a motor vehicle inspection station in certain counties to include a surety bond of $5,000. Creates civil penalties for certain violations committed by inspection stations and inspectors related to motor vehicle inspections. Increases certain fees associated with applications for certification as a motor vehicle inspector or inspection station. Creates the offense of fraudulent emissions inspection of a motor vehicle.

Effective Date: September 1, 2011

SB 365  by Ogden  House Sponsor: Strama

Relating to distributed generation of electric power.

Defines and makes provisions for the interconnection of distributed natural gas facilities. Also makes provisions for distributed natural gas facilities to sell power to an electric utility, electric cooperative or a retail electric provider.

Effective Date: September 1, 2011
SB 385  by Williams   House Sponsor: Otto

Relating to the creation of an alternative fuel program to be funded by the Texas emissions reduction plan fund.

Establishes three new grant programs under TERP: the natural gas vehicle rebate program, a program to fund natural gas fueling stations, and an alternative fueling facilities program. Of the 87.5 percent funds in the General Revenue-Dedicated TERP Account No. 5071, money allocated to the emissions reduction incentive programs, not less than 16 percent would be allocated to the natural gas vehicle rebate program; not more than 4 percent would be allocated for the refueling station program; and up to 2 percent could be used for the alternative fueling facilities program. Under the Alternative Fuels Facilities Program, the TCEQ shall establish and administer a program to provide grants for fueling facilities for alternative fuel in nonattainment areas. Entities that construct, reconstruct, or acquire an alternative fueling facility will be eligible to participate in the grant program. Under the Texas Natural Gas Vehicle Grant Program, TCEQ is directed to establish two new grant programs for funding the purchase or lease of natural gas vehicles or engines and the establishment of natural gas refueling stations along the interstate highways between Houston, San Antonio, and Dallas, and Fort Worth.

Effective Date: September 1, 2011

SB 493  by Fraser   House Sponsor: Wayne Smith

Relating to the idling of motor vehicles.

Specifies that TCEQ may not prohibit or limit the idling of any motor vehicle with a gross vehicle weight rating greater than 8,500 pounds that is equipped with a heavy-duty diesel engine or liquefied or compressed natural gas engine that meets the model-year requirements and nitrogen oxideoxid emissions standards specified by the bill. Specifies that the maximum allowable gross vehicle weight limit and axle weight limit for a vehicle or combination of vehicles equipped with an idle reduction system, as defined by the bill, is increased to an amount necessary to compensate for the weight of the idle reduction system. Limits the weight increase to a maximum of 400 pounds.

Effective Date: June 17, 2011

SB 527  by Fraser   House Sponsor: Geren

Relating to air monitors in Texas Commission on Environmental Quality Regions 3 and 4 to be funded through the Texas emissions reduction plan.

Eliminates the the New Technology Research and Development (NTRD) program as recommended in the the Legislative Budget Board’s Government Effectiveness and Efficiency Report, "Eliminate the New Technology Research and Development Program" submitted to the Eighty-second Texas Legislature, 2011. Creates a new air monitoring program. For this new program, not less than $3 million or more than $7 million shall be allocated in 2012 and 2013 and not less than $1 million or more than $3 million shall be allocated in 2014 and subsequent fiscal years to fund a regional air monitoring program in Commission Regions 3 and 4. The new program is to be implemented under the commission's oversight through a regional nonprofit entity located in North Texas having representation from counties, municipalities, higher education institutions, and private sector interests across the area.

Effective Date: September 1, 2011
SB 1003 by Fraser    House Sponsor: Wayne Smith

Relating to penalties for, and emergency orders suspending, the operation of a rock crusher or certain concrete plants without a current permit under the Texas Clean Air Act.

Provides the Texas Commission on Environmental Quality (TCEQ) conditional discretion to impose a penalty on a rock crushing facility if the person operating the facility holds any type of permit issued by the commission, even if the permit held is not the permit required for the facility. In addition, grants the TCEQ the option to issue an emergency order to suspend the operation of a rock crusher or cement plant instead of mandating a shutdown.

Effective Date: June 17, 2011

SB 1134 by Hegar    House Sponsor: Craddick

Relating to air permitting requirements for certain oil and gas facilities.

Prohibits TCEQ from promulgating new or amending existing authorizations [Permits by Rule (PBR) or Standard Permits (SP)] for the oil and gas industry without performing a regulatory impact analysis (RIA), extensive monitoring, and correlated modeling. Limits the use of worst-case modeling inputs and require actual credible air quality monitoring data. Air quality monitoring data and the evaluation of that data would be required to be scientifically credible and could be generated by an ambient air monitoring program conducted by or on behalf of the TCEQ or by a local or federal government entity, or a private organization. Provides a definition of planned maintenance, startup, and shutdown (MSS) activities and would extend the deadline for filing an application to authorize MSS activities until the earlier of January 5, 2014 or the 120th day after the effective date of a new or amended permit under the provisions of the bill necessary to maintain certain affirmative defense criteria. Also requires that any PBR or SP adopted or amended by the agency that authorizes planned MSS activities must also conduct a RIA, perform monitoring, and perform correlated monitoring. Only applies to a PBR or SP adopted by the agency after the effective date of the bill, which is September 1, 2011 or upon receiving a two-thirds vote of both houses. Includes limitations on aggregation, which is a process used to determine if a site is a major source (Title V) as defined under federal law. In addition, limits review for SPs and PBRs to operationally dependent sources, shorter distance limitations, sources under common control, and the same first two-digit SIC code. Prohibits the TCEQ from requiring a person who applies for a permit or authorization under the provisions of the bill to demonstrate that the activity to be permitted/authorized complies with a NAAQS.

Effective Date: June 17, 2011

SB 1250 by Lucio    House Sponsor: Lozano

Relating to the applicability of certain restrictions on the location and operation of concrete crushing facilities.

Removes the 440 yard distance restriction for a concrete crushing facility located: within 25 miles of an international border; within a county contiguous with the Gulf of Mexico; in a municipality with a population of not less than 6,100 but not more than 20,000; and within one mile of a United States highway.

Effective Date: September 1, 2011
HB 240 by Parker Senate Sponsor: Nelson

Relating to requiring the Texas Commission on Environmental Quality to adopt rules preventing accidental or unintentional access to on-site sewage disposal systems.

Requires the TCEQ to adopt rules relating to the operation of on-site sewage disposal systems that prevent accidental or unintentional access to such systems by owners and certain other persons, including requiring risers and covers, of on-site sewage disposal systems installed after September 1, 2012.

Effective Date: September 1, 2011

HB 571 by Huberty Senate Sponsor: Williams

Relating to the regulation of certain aggregate production operations by the Texas Commission on Environmental Quality.

Creates a new registration and inspection program for active aggregate production operations and gives TCEQ the responsibility to administer the program. TCEQ will be required to survey the state on an annual basis for active aggregate production facilities, process registrations every year, and inspect aggregate production operations every three years. The agency will establish registration fees in an amount to maintain the registration and inspection program, not to exceed $1,000, and assess the prescribed penalties if aggregate operations fail to register. Registration fees would be deposited into the General Revenue-Dedicated Water Resource Management Account No. 153 to only be used to implement the registration and inspection program. Inspections would not start until September 1, 2015 if a facility submits a notice of intent to conduct a compliance audit when it registers with the agency. A facility will be required to register on September 1, 2012. Also requires the agency to provide information on the program in the annual enforcement report. Provides various exceptions to the definition of an aggregate production operation, including temporary sites for use in public works projects and sites used for the construction, modification, or expansion of a solid waste facility.

Effective Date: September 1, 2011

HB 2507 by Chisum Senate Sponsor: Seliger

Relating to the offense of installing an irrigation system without a license.

Creates an offense for the installation of an irrigation system without holding a license issued by TCEQ.

Effective Date: September 1, 2011
SB 875  by Fraser  House Sponsor: Hancock

Relating to compliance with state and federal environmental permits.

Provides an affirmative defense to a person who is subject to an administrative, civil, or criminal action brought under Water Code, Chapter 7, for a nuisance or trespass violation arising from greenhouse gas emissions. To use the affirmative defense, the person must be in general compliance with the rule, permit, order, license, certificate, registration, approval, or other authorization while the alleged nuisance or trespass was occurring or the person would have to have received enforcement discretion from the TCEQ or the federal government or an agency of the federal government for the actions that resulted in the alleged nuisance. The affirmative defense would not apply to nuisance actions related to noxious odors.

Effective Date: June 17, 2011
Agency Programs
Energy Efficiency

SB 898 by Carona House Sponsor: Cook
Relating to energy efficiency programs in institutions of higher education and certain governmental entities.

Requires political subdivisions, institutions of higher education, and state agencies to establish goals of reducing electric consumption by at least five percent each fiscal year for 10 years. Requires the State Energy Conservation Office to develop and make available forms for entities to report their progress on achieving the required goals and would require the Texas Engineering Experiment Station to calculate the amount of energy savings and resulting reduction in pollution based on progress evaluations.

Effective Date: September 1, 2011

SB 924 by Carona House Sponsor: Keffer
Relating to energy efficiency reports by municipally owned utilities and electric cooperatives.

Requires municipally owned utilities to report annually to the State Energy Conservation Office (SECO) the combined effects of the energy efficiency activities of the utility from the previous calendar year, including the utility's annual goals, programs enacted to achieve those goals, and any achieved energy demand or savings goals. Requires SECO to provide these reports to the Texas Engineering Experiment Station's Energy Systems Laboratory (ESL) to calculate the amount of energy savings achieved as a result of the implementation of the energy efficiency programs. Requires the ESL to report the total savings for all municipally owned utilities to the PUC, ERCOT, EPA and TCEQ. Allows public service providers to enter into a contract for an emergency notification system to inform the providers' customers, governmental agencies, and other affected persons with messages related to disasters or emergencies.

Effective Date: June 17, 2011 & September 1, 2011
Agency Programs
Occupational Licensing

HB 965 by Callegari  Senate Sponsor: Hegar

Relating to continuing education requirements for persons holding licenses issued by the Texas Commission on Environmental Quality.

Requires the TCEQ to accept internet based continuing education programs for occupational licenses issued by the agency. Also adds a requirement for the TCEQ to provide a means for certain license holders to certify at the time their license is renewed that they have complied with the commission’s continuing education requirements.

Effective Date: September 1, 2011

SB 867 by Deuell  House Sponsor: Jim Jackson

Relating to testing accommodations for a person with dyslexia taking a licensing examination administered by a state agency.

Requires state agencies administering licensing examinations to make reasonable accommodations to an examinee diagnosed as having dyslexia. State agencies would be required to adopt rules establishing the eligibility criteria for applicable examinees.

Effective Date: September 1, 2011

SB 1733 by Van de Putte  House Sponsor: Menendez

Relating to the occupational licensing of spouses of members of the military.

Requires a state agency that issues a license to adopt rules for the issuance of the license to an applicant who is the spouse of a person serving on active duty as a member of the armed forces of the United States and either holds a current license issued by another state that has licensing requirements that are substantially equivalent to the requirements for the license or, within the five years preceding the application date, held the license in Texas that expired while the applicant lived in another state for at least six months. Requires the rules adopted under the bill's provisions to include provisions to allow alternative demonstrations of competency to meet the requirements for obtaining the license and authorizes the executive director of a state agency to issue a license by endorsement to an applicant described by the bill's provisions in the same manner as the Texas Commission of Licensing and Regulation under provisions of law relating to the commission's authority to issue licenses by endorsement.

Effective Date: June 17, 2011
HB 444  by Creighton  Senate Sponsor:  Nichols

Relating to notification of applications for permits for certain injection wells.

Requires the Executive Director of TCEQ to submit a copy of an application for a permit for an injection well disposing of industrial and municipal waste to the governing body of a Groundwater Conservation District (GCD) if that well is to be located in the territory of the GCD. Also provides that, before testimony is heard in a contested case hearing regarding these wells, the record of the proceeding would be required to include evidence that the Executive Director of TCEQ provided a copy of each draft permit to the governing body of the GCD and that notice of the hearing was mailed to the governing body of the GCD.

Effective Date:  May 21, 2011

HB 2826  by Murphy  Senate Sponsor:  Huffman

Relating to the issuance of a certificate for a municipal setting designation.

Sets out additional notice, documentation, and procedural requirements relating to an applicant for a certificate for a municipal setting.

Effective Date:  September 1, 2011

SB 329  by Watson  House Sponsor:  Chisum

Relating to the sale, recovery, and recycling of certain television equipment.

Creates a television equipment recycling program, separate from and more extensive than the existing computer equipment recycling program. Includes shared responsibility among consumers, retailers, manufacturers, and the state government for recycling covered television equipment.

Effective Date:  September 1, 2011

SB 1258  by Duncan  House Sponsor:  Hardcastle

Relating to the disposal of demolition waste from abandoned or nuisance buildings in certain areas.

 Allows TCEQ to issue a Permit By Rule to enable counties or municipalities with a population of 10,000 or less to dispose of demolition waste from buildings that are abandoned or found to be a nuisance. Disposal could only occur on land that is owned by the county and would qualify for an arid exemption.

Effective Date:  May 17, 2011
SB 1504  by Seliger  

House Sponsor: Lewis

Relating to the disposal of nonparty compact low-level radioactive waste at the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility.

Provides definitions for noncompact waste and waste of international origin. Sets annual limits on the importation of noncompact waste. Imposes a surcharge of 20 percent of the total contracted rate on noncompact waste. Requires TCEQ to conduct three studies covering the following topics: capacity, financial assurance and surcharge revenue. Provides guidance on setting interim disposal rates.

Effective Date: September 1, 2011

SB 1605  by Seliger  

House Sponsor: Lewis


Clarifies that the Texas Low-Level Radioactive Waste Disposal Compact Commission (LLRWDCC) is an independent entity subject to review by the Sunset Advisory Commission, but not abolition. The Sunset review would be conducted during each period in which the TCEQ is reviewed. The cost of the review would be paid by the LLRWDCC. Clarifies that the LLRWDCC is an independent entity and not a part of the TCEQ. Prohibits funding for LLRWDCC activities from being made as part of an appropriation to the TCEQ. Requires that the LLRWDCC file written reports with the Governor and the appropriate legislative committees on or before December 1 of each even numbered year. Also requires that the Attorney General represent the LLRWDCC in all matters before the state courts and any court of the United States.

Effective Date: September 1, 2011
Agency Programs
Water

HB 451 by Lucio III Senate Sponsor: Hegar

Relating to the creation of a Don't Mess with Texas Water program to prevent illegal dumping that affects the surface waters of this state.

Requires the TCEQ to establish a "Don't Mess With Texas Water" program to prevent illegal dumping that affects surface waters of the state. It requires TCEQ to set up a toll-free number that would forward callers reporting illegal dumping to the appropriate law enforcement agency. The TCEQ will be required to work with TxDOT to place signs with the toll-free number at major highway water crossings in the state. TxDOT will also be required to post a sign that complies with program requirements at a major highway water crossing at the time a previously posted sign identifying the crossing or prohibiting dumping at the crossing is scheduled to be replaced. Allows a local government to participate in the program and contribute to the cost of operating the toll-free number hotline.

Effective Date: September 1, 2011

HB 3391 by Doug Miller Senate Sponsor: Seliger

Relating to rainwater harvesting and other water conservation initiatives.

Allows financial institutions to consider making loans for developments that will have harvested rainwater as the sole source of water supply. Requires on-site reclaimed technologies potable and nonpotable indoor use and landscape watering in the design and construction of any new state building that is at least 10,000 square feet, any other new state building where it would be feasible, and in the design and construction of each new state building that is at least 50,000 square feet and is located in an area of the state that receives at least 20 inches of average annual rainfall. Allows the use of harvested rainwater for indoor potable use as well as nonpotable indoor purposes if a structure is connected to a public water supply system and has a rainwater harvesting system for indoor use. Prohibits a property owner's association from restricting a person from installing a rain barrel or rain harvesting device, with certain exceptions.

Effective Date: September 1, 2011

SB 313 by Seliger House Sponsor: Price

Relating to priority groundwater management areas.

Extends the TCEQ and the TWDB's critical groundwater problem evaluation period from 25 years to 50 years. Provides that the 50-year evaluation period is relevant only to the designation of a priority groundwater management area (PGMA) after the effective date of the Act, and that designation of a PGMA made before the effective date is governed by the law in effect on the date when the designation occurred.

Effective Date: June 17, 2011 & September 1, 2011
SB 332  by Fraser   House Sponsor:  Ritter

Relating to the vested ownership interest in groundwater beneath the surface and the right to produce that groundwater.

Provides that a landowner owns the groundwater below the surface of the landowner's land as real property. A landowner would be entitled to drill for and produce the groundwater below the surface of the landowner’s real property, subject to Subsection (d), without causing waste or malicious drainage of other properties or subsidence, but would not be entitled to a right to capture a specific amount. The rights and interests of the landowner could also be limited by a groundwater and conservation district’s rules under Subsection (d), including that a district allocate to each landowner a proportionate share of available groundwater for production from the aquifer based on the number of acres owned by the landowner. A GCD will be required to consider the groundwater ownership and rights; the public interest in conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs or their subdivisions, and in controlling subsidence caused by withdrawal of water; and the goals developed by districts as part of their management plans.

Effective Date:  September 1, 2011

SB 430  by Nichols   House Sponsor:  Christian

Relating to written notice to a groundwater conservation district of groundwater contamination.

Adds Groundwater Conservation Districts to written notification requirements if the contamination has occurred or is occurring in the jurisdiction of the district.

Effective Date:  September 1, 2011

SB 691  by Estes   House Sponsor:  Tracy King

Relating to the exemption from permitting by groundwater conservation districts for certain water wells used for domestic, livestock, and poultry watering purposes.

Clarifies that a water well used solely for domestic use or for watering livestock or poultry is exempt from groundwater conservation district permitting requirements if the well is located on a tract of land larger than 10 acres and the well is either drilled, completed, or equipped so it cannot produce more than 25,000 gallons of water per day.

Effective Date:  September 1, 2011
SB 692  
by Estes  
House Sponsor: Doug Miller

Relating to exemptions from groundwater conservation district permit requirements.

Clarifies that a GCD by rule may provide an exemption from the GCD’s drilling, operating or other permitting requirements. Clarifies that a water well used solely for domestic use or for watering livestock or poultry is exempt from groundwater conservation district permitting requirements if the well is located on a tract of land larger than 10 acres and the well is either drilled, completed, or equipped so it cannot produce more 25,000 gallons of water per day. Clarifies that a GCD may not restrict production of water from an exempt well for domestic, livestock or poultry use. Allows a GCD to cancel an exemption, require an operating permit, and restrict production if the purpose of groundwater use for the exemption has changed. Clarifies that a GCD may require all wells to comply with the GCD’s well spacing rules except for exempt wells used for mining activities specified by the permit issued by the RRC. Clarifies that all water wells must be registered with the GCD and equipped and maintained to conform to the GCD’s rules. Clarifies that water well drillers must file the well log with the GCD and provides that the driller must also file the geophysical log if available. Clarifies that a well that is used to supply water for a subdivision of land platted through a County Commissioners court is not eligible for an exemption from GCD permitting requirements. Clarifies that groundwater withdrawn from an exempt well that is transported outside the GCD is subject to any applicable GCD production and export fees.

Effective Date:  May 9, 2011

SB 693  
by Estes  
House Sponsor: Price

Relating to permit application and amendment hearings conducted by groundwater conservation districts and the State Office of Administrative Hearings.

Authorizes a groundwater conservation district (GCD) to use the State Office of Administrative Hearings (SOAH) to conduct a hearing on a permit or permit amendment. If the GCD contracts with SOAH to conduct hearings, the bill authorizes but does not require that the GCD adopt rules consistent with SOAH’s procedural rules. Provides that if the GCD does not set a deadline by rule, the applicant or other party must request the SOAH hearing at least 14 days before the evidentiary hearing is scheduled to begin. Provides the SOAH hearing may be conducted in Travis County and requires the party requesting the SOAH hearing to pay all costs associated with the contract for the hearing. Provides that the GCD board of directors will make the final permit or permit amendment decision after the proposal for decision has been issued by SOAH. Requires a GCD to adopt rules to establish a procedure for preliminary and evidentiary hearings, to allow the presiding officer to determine a party’s right to participate in the hearing, and to set a deadline for a party to file a request to refer a contested case to SOAH.

Effective Date:  May 12, 2011

SB 727  
by Seliger  
House Sponsor: Beck

Relating to groundwater conservation district management plans.

Amends Water Code provisions related to the development, adoption, readoption, and approval of GCD management plans and other provisions of the Water Code that reference the plans.

Effective Date:  April 29, 2011
SB 737 by Hegar House Sponsor: Price

Relating to the management of groundwater production by groundwater conservation districts.

Changes the Water Code definition of managed available groundwater to modeled available groundwater and defines ‘modeled available groundwater’ to mean the amount of water as determined by the executive administrator of the TWDB that may be produced on an average annual basis to achieve a desired future condition. Provides that a GCD shall, to the extent possible, issue permits up to the point when the total volume of exempt and permitted groundwater production will achieve an applicable desired future condition. Provides that in issuing permits, the GCD must manage the total groundwater production on a long-term basis to achieve an applicable desired future condition and consider the modeled available groundwater determined, the executive administrator’s estimate of the current and projected amount of groundwater produced under exemptions granted by the GCD, the amount of groundwater authorized by the GCD’s issued permits, an estimate of the amount of groundwater actually produced under the permits issued by the GCD, and yearly precipitation and production patterns. Provides that the executive administrator of TWDB shall solicit information from each applicable GCD to determine estimates of exempt use.

Effective Date: September 1, 2011

SB 1073 by Mike Jackson House Sponsor: Tracy King

Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system.

Requires TCEQ to work with the Texas Department of State Health Services to develop and adopt rules to regulate a structure that has a rainwater harvesting system for indoor use and that is connected to a public water supply system. Requires that a person who installs and maintains rainwater harvesting systems connected to public water supply systems and used for potable purposes must be licensed as a master or journeyman plumber by the Texas State Board of Plumbing Examiners (SBPE) and hold a certification as a water supply protection specialist. Also requires that municipalities or owners/operators of public water supply systems be notified in writing of the intention of a person to connect a rainwater harvesting system used for potable purposes to a public water supply system.

Effective Date: September 1, 2011

SB 1132 by Hegar House Sponsor: Thompson

Relating to a water rights permit issued to the Texas Water Development Board.

Requires that upon application by the TWDB, the TCEQ must reissue, without notice or hearing, Water Right Appropriation Permit No. 2925 previously issued for Allen’s Creek Reservoir. The reissued permit would have a priority date of September 1, 1999 and the date to commence construction will not be later than September 1, 2025. Also authorizes the TCEQ to extend such time for good cause and provide for construction be completed within five years. Requires TCEQ to reissue a permit by September 1, 2011.

Effective Date: June 17, 2011
General Government

HB 442 by Guillen Senate Sponsor: Williams

Relating to the establishment of an emergency radio infrastructure account.

Establishes an emergency radio infrastructure account to be used to fund the planning, development, provision, enhancement, and maintenance of an interoperable statewide emergency radio infrastructure or for another public safety purpose.

Effective Date: September 1, 2011

HB 726 by Sheffield Senate Sponsor: Huffman

Relating to the electronic distribution of information to legislators by state agencies.

Requires state agencies send only electronic notices to the Texas Legislature detailing publication availability. Further, members of the Legislature who wish to receive the publication may reply electronically.

Effective Date: June 17, 2011

HB 1781 by Price Senate Sponsor: Nelson

Relating to obsolete or redundant reporting requirements applicable to state agencies.

Creates a new examination of statutory reporting requirements. Not later than August 1, 2012, the Executive Director of each state agency would be required to examine the agency's statutory reporting requirements and identify reports that are determined to be unnecessary, redundant, or required to be provided at a frequency for which data is not available. An electronic report would be created and provided to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, chair of the House Committee on Government Efficiency and Reform, chair of the Senate Committee on Government Organization, chair of each standing committee of the Senate and House of Representatives with jurisdiction over the agency, Texas State Library and Archives Commission, and Legislative Budget Board. Reports submitted may not include reporting requirements that are required by federal law. Requires the Sunset Commission to review and make recommendations on agency reporting requirements as part of the Sunset review process.

Effective Date: June 17, 2011

SB 18 by Estes House Sponsor: Geren

Relating to the use of eminent domain authority.

Amends various statutes related to the scope and process of private property condemnation under the power of eminent domain. Also amends Vernon's Texas Civil Statutes regarding the eminent domain authority of certain charitable corporations in obtaining a residential property.

Effective Date: September 1, 2011
SB 656  by Huffman  House Sponsor:  Bonnen

Relating to the abolition of the Coastal Coordination Council and the transfer of its functions to the General Land Office.

Sunset legislation for the Coastal Coordination Council, which will be abolished on September 1, 2011. Contains the following Sunset Commission recommendations: abolishes the Council and assigns its functions to the General Land Office and the Land Commissioner; requires the Land Commissioner to establish a Coastal Coordination Advisory Committee and specify its membership; and the Land Commissioner is allowed to evaluate the Permitting Assistance Group’s functions, membership, and usefulness.

Effective Date:  September 1, 2011

SB 660  by Hinojosa  House Sponsor:  Ritter

Relating to the review and functions of the Texas Water Development Board, including the functions of the board in connection with the process for establishing and appealing desired future conditions in a groundwater area.

Requires the OAG to, upon request of the TWDB, take legal action to compel a recipient of TWDB’s financial assistance to cure or prevent default in payment. Requires TWDB and the TCEQ to require the methodology and guidance for calculating water use and conservation developed under section 16.403 of the Water Code to be used in water conservation plans and reports to TWDB or TCEQ. Abolishes the Texas Geographic Information Council and clarifies the Texas Natural Resources Information System’s responsibilities related to coordinating and advancing geographic information initiatives in the state. Requires TWDB, as part of the State Water Plan, to evaluate the state’s progress in meeting its future water needs and include an analysis of how many state water plan projects received financial assistance. Requires municipalities and water utilities with more than 3,300 connections to implement reporting measures established by TWDB and TCEQ. Municipalities and water utilities will be required to implement the reporting measures only at a level currently available to the entity. TWDB and TCEQ cannot adopt a rule that would require an entity to report water use data that is more detailed than the entity’s billing system is capable of producing. Establishes a process whereby non-self supporting general obligation water bonds could be removed from the Constitutional Debt Limit under certain circumstances. Requires GCDs to adopt relevant Desired Future Conditions (DFC). Requires groundwater management areas to document consideration of factors or criteria to be considered in adopting DFCs and to submit that documentation in an explanatory report to TWDB.

Effective Date:  September 1, 2011

SB 701  by Watson  House Sponsor:  Strama

Relating to high-value data sets of state agencies posted on the Internet.

Requires each state agency to post high-value data sets on its Internet website if the agency could use existing resources to post the data sets at no cost to the state, if the agency entered into a contract to post the high-value data sets at no additional cost, or if the agency received a gift or grant specifically for the purpose of posting one or more high-value data sets.

Effective Date:  September 1, 2011
SB 791 by Duncan  House Sponsor: Jim Jackson

Relating to the delivery of proposed state agency rules to the lieutenant governor, a member of the legislature, or a legislative agency.

Allows the secretary of state to electronically submit state agency rulemaking filings to the lieutenant governor, a member of the legislature or a legislative agency.

Effective Date: September 1, 2011

SB 1179 by Nelson  House Sponsor: Harper-Brown

Relating to the elimination of certain required reports prepared by state agencies and institutions of higher education.

Amends multiple statutes to eliminate certain required reports prepared by state agencies and institutions of higher education that are currently filed with the office of the governor, the presiding officer of each house of the legislature, the comptroller, or other state entities. Amends the Agriculture, Education, Family, Government, Health and Safety, Human Resources, Insurance, Natural Resources and Transportation Codes to repeal various reporting requirements of applicable state agencies.

Effective Date: June 17, 2011
Local Government

HB 92 by Cook  Senate Sponsor: Estes

Relating to the regulation of slaughterers by certain counties.

Amends provisions relating to the regulation of slaughterers located in certain counties. Provides that the regulations only apply in the unincorporated area of a county if the county: (1) contains two or more municipalities with a population of 250,000 or more; (2) is a county adjacent to a county described by Subdivision (1); or (3) is a county adjacent to a county described by Subdivision (2) and has a population of not more than 50,000 and contains a municipality with a population of at least 20,000, or contains, wholly or partly, two or more municipalities with a population of 250,000 or more.

Effective Date: September 1, 2011

HB 679 by Button  Senate Sponsor: Carona

Relating to change order approval requirements for certain political subdivisions of the state.

Allows a board or a governing body of a municipality, county, special district, water district, or authority to grant authority to an official or employee to approve a construction contract change order that involves a decrease or an increase in the amount of $50,000 or less.

Effective Date: June 17, 2011
Utilities, Districts & Authorities

HB 315 by Flynn Senate Sponsor: Deuell

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

Provides authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Effective Date: June 17, 2011

HB 427 by Driver Senate Sponsor: Deuell

Relating to the creation of the Rowlett Waterfront Entertainment Management District; providing authority to impose a tax, levy an assessment, and issue bonds.

Provides authority to impose a tax, levy an assessment, and issue bonds.

Effective Date: June 17, 2011

HB 534 by Phillips Senate Sponsor: Estes

Relating to the powers and duties of the Gunter Municipal Utility Districts Nos. 1 and 2.

Allows for the districts to continue to exist within the boundaries of the city after they are annexed and levy a tax in addition to the city's tax rate. The legislation also allows each of the existing districts to be subdivided into two districts.

Effective Date: June 17, 2011 & September 1, 2011

HB 709 by Fletcher Senate Sponsor: Patrick

Relating to the creation of the Harris County Municipal Utility District No. 524.

Creates Harris County Municipal Utility District No. 524 (District) with the powers and duties of a municipal utility district under Water Code Chapters 49 and 54.

Effective Date: June 17, 2011

HB 737 by Otto Senate Sponsor: Williams

Relating to the East Montgomery County Improvement District.

Expands the applicable definition of "venue" in order to continue the district goals.

Effective Date: June 17, 2011
HB 801  by Anderson  Senate Sponsor: Birdwell

Relating to the territory and dissolution requirements of the Southern Trinity Groundwater Conservation District.

Repeals the requirement that the district boundaries include at least one county adjacent to McLennan County on September 1, 2011.

Effective Date: May 17, 2011

HB 805  by Callegari  Senate Sponsor: Hegar

Relating to the requirement that certain water service providers ensure emergency operations during an extended power outage.

Amends current law relating to the requirement that certain water service providers ensure emergency operations during an extended power outage to include Fort Bend County.

Effective Date: June 17, 2011

HB 886  by Wayne Smith  Senate Sponsor: Gallegos

Relating to the creation of the Harris County Municipal Utility District No. 528.

Creates the Harris County Municipal Utility District and provides authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Effective Date: June 17, 2011 & September 1, 2011

HB 960  by Sylvester Turner  Senate Sponsor: Whitmire

Relating to the powers of the Central Harris County Regional Water Authority.

Ensures that the districts and political subdivisions pay applicable fees by waiving the governmental immunity of such entities from suit or liability for the purposes of an action by the authority. Also clarifies that certain provisions of law relating to groundwater conservation districts and water districts with taxing authority are inapplicable to the authority.

Effective Date: June 17, 2011

HB 1060  by Kleinschmidt  Senate Sponsor: Hegar

Relating to the de-annexation of land in Bastrop County by the Barton Springs-Edwards Aquifer Conservation District.

Requires the board of the Barton Springs-Edwards Aquifer Conservation District, not later than the 30th day after the effective date of this Act, declare by resolution that the territory described by Section 2 of this Act is excluded from the territory of the Barton Springs-Edwards Aquifer Conservation District. Requires the board to file a copy of the resolution in the office of the county clerk of the county in which the excluded territory is located. Requires the county clerk to record the resolution in the county records. Provides that on the date the resolution is recorded, the excluded territory is no longer part of that district. Also sets forth the boundaries of the territory to be de-annexed by the Barton Springs-Edwards Aquifer Conservation District.

Effective Date: June 17, 2011
HB 1120 by Weber   Senate Sponsor: Jackson

Relating to the dissolution of the Country Place Management District.

Repeals the law relating to the establishment and operation of the district in deference to those voters.

Effective Date: June 17, 2011

HB 1251 by Deshotel   Senate Sponsor: Williams

Relating to the election of the members of the Board of Port Commissioners of the Port of Port Arthur Navigation District of Jefferson County.

Requires the Port of Port Arthur Navigation District of Jefferson County to hold an election in the district to elect the appropriate number of port commissioners as required to maintain a full Board of Port Commissioners on the uniform election date in May in each odd-numbered year, rather than to hold an election in the district on the first Saturday of May in each odd-numbered year at which time there shall be elected five (5) port commissioners. Also requires a port commissioner who on the effective date of this act serves on the board to continue in office until a successor is elected and qualified. Requires port commissioners to serve six-year terms of office beginning with terms of port commissioners elected at the election held in 2013.

Effective Date: May 27, 2011

HB 1383 by Quintanilla   Senate Sponsor: Uresti

Relating to the territory of the El Paso County Water Control and Improvement District No. 4.

Provides that the El Paso County Water Control and Improvement District No. 4 is composed of the territory described by Subsection (d) of this section. Provides that the boundaries and field notes contained in Subsection (d) of this section form a closure. Provides that a mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's: (1) organization, existence, or validity; (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond; (3) right to impose a tax; or (4) legality or operation. And Sets forth the initial boundaries of the district.

Effective Date: June 17, 2011

HB 1525 by Alvarado   Senate Sponsor: Gallegos

Relating to the board of directors of the Greater East End Management District.

Reduces the residential requirement to five members (or one-third of total membership) and eliminating the ownership provision on the other seats, so that business employees, other than the owners of district businesses, can serve on the board.

Effective Date: June 17, 2011
HB 1551  by Aycock       Senate Sponsor: Fraser

Relating to the power of the Bell County Water Control and Improvement District No. 1 to issue bonds.

Authorizes the district to issue bonds for certain purposes, including bonds that may be issued without an election.

Effective Date:  May 17, 2011

HB 1651  by Alonzo       Senate Sponsor: West

Relating to the North Oak Cliff Municipal Management District.

Amends the original legislation that established the district and provides that the district's bonds may be secured by revenue received by the district under Chapter 311, Tax Code, and authorizes the establishment of defined areas.

Effective Date:  September 1, 2011

HB 1756  by Rodriguez     Senate Sponsor: Watson

Relating to the creation of the Pilot Knob Municipal Utility District No. 2.

Creates a conservation and reclamation district to be known as Pilot Knob Municipal Utility District No. 2 in Travis County, Texas. Provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

HB 1757  by Rodriguez     Senate Sponsor: Watson

Relating to the creation of the Pilot Knob Municipal Utility District No. 1.

Creates a conservation and reclamation district to be known as Pilot Knob Municipal Utility District No. 1 in Travis County, Texas. Provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

HB 1758  by Rodriguez     Senate Sponsor: Watson

Relating to the creation of the Pilot Knob Municipal Utility District No. 3.

Creates a conservation and reclamation district to be known as Pilot Knob Municipal Utility District No. 3 in Travis County, Texas. Provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

HB 1759  by Rodriguez     Senate Sponsor: Watson

Relating to the creation of the Pilot Knob Municipal Utility District No. 4.

Creates a conservation and reclamation district to be known as Pilot Knob Municipal Utility District No. 4 in Travis County, Texas. Provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011
HB 1760  by Rodriguez  Senate Sponsor: Watson
Relating to the creation of the Pilot Knob Municipal Utility District No. 5.

Creates a conservation and reclamation district to be known as Pilot Knob Municipal Utility District No. 5 in Travis County, Texas. Provides authority to impose a tax and issue bonds.

Effective Date: June 17, 2011

HB 1814  by Lucio III  Senate Sponsor: Lucio
Relating to the provision of water and certain equipment by water supply or sewer service corporations for use in fire suppression and the liability of those corporations.

Authorizes a corporation to enter into a contract with a governmental entity to provide a water supply to a governmental entity or a volunteer fire department for use in fire suppression. A corporation that provides a water supply or fire hydrant equipment is liable for damages only to the extent that a governmental entity would be liable.

Effective Date: September 1, 2011

HB 1832  by Ritter  Senate Sponsor: Williams
Relating to the law governing the Lower Neches Valley Authority.

Amends various sections of the enabling legislation of the Lower Neches Valley Authority. Further defines the Authority’s service area to be the Neches River basin and the adjoining Neches-Trinity coastal basin.

Effective Date: May 21, 2011

HB 1901  by Keffer  Senate Sponsor: Birdwell
Relating to the applicability of provisions concerning bond approval by the Texas Commission on Environmental Quality to certain water entities.

Authorizes a public utility agency created under Chapter 572, Local Government Code, or any of the districts that are participating, if at least one of the districts meets the specified criteria, to issue bonds without the feasibility determination or approval by the TCEQ. Under current statute, a district may not issue bonds without the approval of TCEQ with the exception of certain types of refunding bonds and bonds issued to and approved by the Farmers Home Administration, the United States Department of Agriculture, the North American Development Bank, or the TWDB. Current statutes also exempt specific categories of district from TCEQ’s bond approval process.

Effective Date: May 28, 2011
HB 1932 by Schwertner Senate Sponsor: Ogden

Relating to the powers and duties of the Williamson-Liberty Hill Municipal Utility District.

Grants the district the authority to undertake certain road projects and places conditions on the issuance of bonds by the district for such projects. Authorizes the district to designate, acquire, construct, finance, and issue bonds for the operation and maintenance of graveled or paved roads or improvements, including storm drainage. Prohibits the total principal amount of bonds or other obligations issued or incurred to finance road projects, and payable from property taxes, from exceeding one-fourth of the assessed value of the real property in the district at the time of issuance. Also prohibits the district from issuing bonds payable from property taxes to finance a road project unless the issuance is approved by a vote of two-thirds majority of the district voters at an election held for that purpose.

Effective Date: June 17, 2011

HB 1944 by Hilderbran Senate Sponsor: Uresti

Relating to the election of the board of directors of the Crockett County Water Control and Improvement District.

Changes the election of the board of directors of the Crockett County Water Control and Improvement District No. 1. by Stipulating that on the uniform election date in November of each even-numbered year, the District shall hold an election to elect the appropriate number of directors to the board. Also stipulates that the election may be held at any location that is in the boundaries of the District and Crockett County.

Effective Date: May 17, 2011

HB 2007 by Shelton Senate Sponsor: Wendy Davis

Relating to payment by the Benbrook Water Authority for certain damages caused by the authority's operation of a sanitary sewer system.

Authorizes the authority to pay actual property damages caused by the backup of the authority's sanitary sewer system without waiving governmental immunity from suit or liability.

Effective Date: June 17, 2011

HB 2162 by Kuempel Senate Sponsor: Wentworth

Relating to the power of the Cibolo Creek Municipal Authority to issue bonds.

Provides the Cibolo Creek Municipal Authority the authority to issue bonds.

Effective Date: June 17, 2011
HB 2207  by Oliveira  Senate Sponsor:  Lucio

Relating to the authority of the board of trustees to set rates for certain municipal utility systems.

Authorizes a home-rule municipality by ordinance to grant authority to a board of trustees to set rates and related terms for a municipal utility system.  Authorizes a municipality with a population of one million or more but less than two million, to include funding for a bill payment assistance program for municipally owned system as a necessary operations expense for utility customers who have been threatened with disconnection from service for nonpayment of bills and who have been determined to be low-income customers.

Effective Date:  June 17, 2011

HB 2238  by Creighton  Senate Sponsor:  Nichols

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 112.

Grants Montgomery County Municipal Utility District No. 112 the powers and duties provided in chapter 49 and 54 of the water code excluding the no allocation agreement.

Effective Date:  September 1, 2011

HB 2296  by Ritter  Senate Sponsor:  Huffman

Relating to the creation of Jefferson County Management District No. 1.

Creates the Jefferson County Management District No. 1 and provides authority to impose an assessment, impose a tax, and issue bonds.

Effective Date:  June 17, 2011

HB 2346  by Bonnen  Senate Sponsor:  Huffman

Relating to authorized investments for ports and navigation districts.

Authorizes a port or a navigation district to purchase, sell and invest its funds or funds under its control in negotiable certificates of deposit issued by a bank that has a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency.

Effective Date:  September 1, 2011

HB 2360  by Schwertner  Senate Sponsor:  Ogden

Relating to the creation of the Corn Hill Regional Water Authority.

 Allows the Corn Hill Regional Water Authority the ability to enter into financial contracts and to own and operate regional water facilities to serve its members entities and other water suppliers. Sets out provisions regarding the creation, administration, powers, duties, operation, and financing of the authority and provides the authority to issue bonds.

Effective Date:  June 17, 2011
HB 2363 by Flynn Senate Sponsor: Deuell

Relating to the creation of the Bearpen Creek Municipal Utility District of Hunt County.

Creates the Bearpen Creek Municipal Utility District of Hunt County, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

Effective Date: June 17, 2011

HB 2418 by Callegari Senate Sponsor: Dan Patrick

Relating to the territory, board of directors, and powers of the North Harris County Regional Water Authority.

Authorizes the North Harris County Regional Water Authority to include additional territory that is listed in seven districts and does not include property that lies within the boundaries of a local government or has a groundwater reduction plan. Territory that is annexed by the local government or added to service area becomes territory of the authority on the effective date of annexation. The authority by rule may require the person or local government to send a written notice or copies of documents describing the annexation or the new boundaries of the service area. Lists water code provisions that deal with groundwater management, disqualification of a director and notices that will not apply to the authority. Removes provisions relating to temporary directors and sets terms for Directors to staggered four year terms. Grants the authority to enforce the Authority’s rules or orders and grants waiver of governmental immunity for districts or other political subdivisions for purposes of the Authorities civil and enforcement powers.

Effective Date: June 17, 2011

HB 2670 by Miles Senate Sponsor: Ellis

Relating to validating certain acts and proceedings of Harris County Improvement District No. 5 and to the boundaries of the district.

Expands the area of Harris County Improvement District No. 5. Also, with stated exceptions, validates and confirms all governmental acts and proceedings of the district taken before the effective date of the bill.

Effective Date: June 17, 2011
HB 2770  by Wayne Smith   Senate Sponsor: Williams

Relating to the powers and duties of navigation districts, port authorities, and certain municipalities.

Authorizes a navigation district, port authority or its board of trustees to conduct a closed meeting to consider proposed changes to facilities or services, or a bid, proposal or contract for goods or services under negotiation, if the release of information would have a detrimental effect on the position of the entity. Includes wharves, docks, navigation channels, and dredge material placement areas to the definition of civil works projects; Alters the powers and duties of a navigation district and certain municipalities. Any navigation district could engage in certain activities, including constructing improvements and leasing oil, gas and minerals. Modifies the procedures for the sale of land and the ability to lease, including the ability to contract with a broker to sell a tract of land. A navigation district would be authorized to enter into a contract with a public facility corporation for the purpose of improvements and to make payments under a contract through the sale of bonds or notes, taxes or any other income. In order to enter into such a contract, a district is required to hold an election using the same process as an election to authorize bonds and be subject to approval by the attorney general. Once a contract, lease, or agreement has been approved by the attorney general and registered by the comptroller, it would be incontestable except for forgery or fraud.

Effective Date: June 17, 2011

HB 2792  by Hunter   Senate Sponsor: Hegar

Relating to the power of the Aransas County Navigation District to determine the amount of a check or bond necessary to purchase land from the district.

Authorizes the navigation and canal commission of the Aransas County Navigation District, notwithstanding existing provisions relating to security for bids on land to be sold or leased for more than 30 years, to determine the amount of the check or bond a bidder is required to submit with a bid to purchase land from the district to guarantee that the bidder will perform the terms of the purchase bid if it is accepted by the the navigation and canal commission.

Effective Date: June 17, 2011

HB 2809  by Phillips   Senate Sponsor: Estes

Relating to the construction contract change order authority for the Greater Texoma Utility Authority.

Authorizes the board of directors of the Greater Texoma Utility Authority, if changes in plans or specifications are necessary after performance of a construction contract begins, to approve change orders necessary to decrease or increase the amount of materials, equipment, or supplies to be provided under the contract or the amount of work to be performed. Prohibits the total cost of the change orders from increasing the original contract price by more than 25 percent.

Effective Date: June 17, 2011

HB 2859  by Gallego   Senate Sponsor: Uresti

Relating to the creation of the Terrell County Groundwater Conservation District.

Creates the Terrell County Groundwater Conservation District. Authorizes the district to impose certain reasonable well fees and allows the district to impose an ad valorem tax. Prohibits the district from exercising the power of eminent domain.

Effective Date: September 1, 2011
HB 3002  by Hughes  Senate Sponsor:  Eltife

Relating to certain conservation and reclamation districts exempted from filing a full audit.

Allows conservation and reclamation districts whose gross receipts would not be in excess of $250,000 in a fiscal year, as opposed to $100,000 under current law, file annual financial reports with TCEQ, instead of having an audit performed and submitting an audit report.

Effective Date:  June 17, 2011

HB 3090  by Creighton  Senate Sponsor:  Nichols

Relating to the frequency of water audits by certain retail public utilities.

Requires a retail public utility that provides potable water and receives financial assistance from the TWDB to file an annual water audit computing the utility’s system water loss during the preceding year. Unless the utility does not receive board financial assistance, the water audit would be required once every five years. TWDB would be required to compile the information included in the required water audits.

Effective Date:  September 1, 2011

HB 3109  by Craddick  Senate Sponsor: Seliger

Relating to the rulemaking power of certain groundwater conservation districts.

Exempts from a GCD regulation a municipal supply well that serves a municipal population of 121,000 or less if the rights to use the groundwater are owned by a political subdivision that is not a municipality or are owned by a municipality that has a population of 115,000 or less that purchased, owned, or held rights to the groundwater.

Effective Date:  June 17, 2011

HB 3372  by Tracy King  Senate Sponsor: Mike Jackson

Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system.

Requires TCEQ to work with the Texas Department of State Health Service (DSHS) to develop and adopt rules to regulate a structure that has a rainwater harvesting system for indoor use and that is connected to a public water supply system. Requires that a person who installs and maintains rainwater harvesting systems connected to public water supply systems and used for potable purposes must be licensed as a master or journeyman plumber by the Texas State Board of Plumbing Examiners (SBPE) and hold a certification as a water supply protection specialist. Also requires that municipalities or owners/operators of public water supply systems be notified in writing of the intention of a person to connect a rainwater harvesting system used for potable purposes to a public water supply system.

Effective Date:  September 1, 2011
HB 3597 by Larson Senate Sponsor: Uresti

Relating to the powers and duties of certain public improvement districts.

Authorizes certain public improvement districts to annex and exclude land and removes a requirement to obtain certain consent prior to the imposition of a hotel occupancy tax under certain circumstances.

Effective Date: June 17, 2011

HB 3743 by Workman Senate Sponsor: Watson

Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.

Provides the West Texas County Municipal Utility District road powers and the ability to provide potable and nonpotable water service to residents and businesses in Travis and Hays Counties.

Effective Date: June 17, 2011

HB 3803 by Phillips Senate Sponsor: Estes

Relating to the creation of the Cottonwood Municipal Utility District No. 2 of Grayson County.

Creates Cottonwood Municipal Utility District No. 2 of Grayson County (District). Specifies that the District may not hold an election to confirm the District or elect the five permanent directors until all municipalities in which the District is located consent to the creation. Specifies that the District may be included in a tax increment reinvestment zone created by the City of Dorchester. Specifies that on or after September 1, 2011, the owner or owners of a majority of assessed valuation of the real property within the District may submit a petition to the TCEQ for the appointment or re-appointment of the five temporary directors for the District and that the TCEQ shall appoint the five persons named in the petition, regardless of eligibility. Gives the District road powers. Further limits the District's power of eminent domain by specifying that the District may not exercise the power of eminent domain to acquire a site for a road or recreational facility. Specifies that the District may divide if the District has never issued any bonds and is not imposing ad valorem taxes and that municipal consent to the creation of the District acts as municipal consent to the creation of any new district created by the division of the District.

Effective Date: June 17, 2011

HB 3804 by Gallego Senate Sponsor: Uresti

Relating to the creation of the Lajitas Utility District No. 1 of Brewster County.

Creates the Lajitas Utility District (District) as a municipal utility district; however, allows the District to fund public improvement projects and services in the same manner as a municipal management district under the Local Government Code that a typical municipal utility district cannot fund. Provides authority to impose taxes and issue bonds; granting a limited power of eminent domain.

Effective Date: June 17, 2011
HB 3813  by Isaac  Senate Sponsor: Wentworth

Relating to the Hudson Ranch Fresh Water Supply District No. 1.

Adds the powers of a municipal utility district to an existing fresh water supply district, changes the name of the district from the Hudson Ranch Fresh Water Supply District to the Hudson Ranch Water District. The district will retain the powers of a fresh water supply district as well as the powers of a municipal utility district.

Effective Date: June 17, 2011

HB 3814  by Rodriguez  Senate Sponsor: Wentworth

Relating to certain financial powers and duties of the Travis-Creedmoor Municipal Utility District.

Exempts the Travis-Creedmoor Municipal Utility District (District) from Section 54.016(f), Water Code,. States that the District’s bonds may be sold at a public or private sale according to terms and procedures the board determines, and also specifies certain powers and duties of the District’s board, or an officer or employee of the District on behalf of the board, regarding the issuance of bonds.

Effective Date: June 17, 2011

HB 3818  by Geren  Senate Sponsor: Harris

Relating to a limitation on production fees on groundwater withdrawals assessed by the Northern Trinity Groundwater Conservation District.

Provides that the Northern Trinity Groundwater Conservation District may assess annual groundwater production fees at rates not to exceed $1.00 per acre-foot for a well permitted solely for agriculture use and $0.20 per 1,000 gallons for all other permitted well uses.

Effective Date: June 17, 2011

HB 3819  by Crownover  Senate Sponsor: Nelson

Relating to the creation of the Valencia Municipal Management District No. 1.

Creates Valencia Municipal Management District No. 1 of Denton County (District). Specifies that all or part of the District's area is eligible to be included in a tax increment reinvestment zone, a tax abatement reinvestment zone, an enterprise zone, or an industrial district. Specifies that the District has the powers conferred to municipal utility districts under the Water Code. Grants the District road powers. Specifies that the District may not exercise the power of eminent domain, does not have the authority to impose an ad valorem tax, and may not construct, acquire, maintain, or operate a toll road. Unlike general law districts and most special law districts, the District's issuance of bonds is not subject to TCEQ jurisdiction or supervision.

Effective Date: September 1, 2011
HB 3821 by Eiland            Senate Sponsor: Huffman

Relating to temporary directors and the continuation in existence of the Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County.

Eliminates the deadline for a confirmation election of temporary directors of the district and establish provisions relating to temporary directors and the continuation in existence of the district. Establishes that the temporary directors of the district serve until the fourth anniversary of the effective date of provisions relating to the district.

Effective Date: June 17, 2011

HB 3827 by Zerwas            Senate Sponsor: Hegar

Relating to the creation of the Fulshear Town Center Management District.

Creates Fulshear Town Center Management District of Fort Bend County. Provides authority to impose an assessment, impose a tax, and issue bonds.

Effective Date: June 17, 2011

HB 3828 by Hochberg         Senate Sponsor: Gallegos

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

Creates Gulfton Area Municipal Management District. Provides authority to impose an assessment, impose a tax, and issue bonds.

Effective Date: June 17, 2011

HB 3831 by Marquez           Senate Sponsor: Rodriguez

Relating to the creation of the Montecillo Municipal Management District No. 1.

Creates Montecillo Municipal Management District No. 1 of El Paso County. Provides authority to impose an assessment, impose a tax, and issue bonds.

Effective Date: September 1, 2011

HB 3834 by Zerwas           Senate Sponsor: Hegar

Relating to the creation of North Fort Bend County Improvement District No. 1.

Creates North Fort Bend County Improvement District No. 1. Provides authority to impose an assessment, impose a tax, and issue bonds.

Effective Date: June 17, 2011
HB 3836 by Pitts  
Senator Sponsor: Birdwell

Relating to the creation of the Windsor Hills Municipal Management District No. 1.

Creates Windsor Hills Municipal Management District No. 1 of Ellis County. Provides the authority to levy an assessment and issue bonds.

Effective Date: September 1, 2011

HB 3840 by Parker  
Senator Sponsor: Nelson

Relating to the extension of the deadline for holding the confirmation and initial directors' election of the Tradition Municipal Utility District No. 2 of Denton County.

Extends the confirmation and chapter expiration date requirements to September 1, 2015 and September 1, 2018, respectively. Specifies that the initial directors serve until permanent directors are elected. Additionally, if permanent directors have not been chosen the owner or owners of a majority of the assessed value of the real property in the District may submit a petition to the TCEQ requesting that the TCEQ appoint as successor temporary directors the five persons named in the petition. Specifies that the TCEQ shall appoint as successor temporary directors the five persons named in the petition, regardless of eligibility.

Effective Date: June 17, 2011

HB 3842 by Callegari  
Senator Sponsor: Dan Patrick

Relating to the creation of the Bridgeland Management District.

Creates the Bridgeland Management District, provides authority to levy an assessment, impose a tax, and issue bonds.

Effective Date: June 17, 2011

HB 3843 by Thompson  
Senator Sponsor: Williams

Relating to excluding certain territory from the Harris County Road Improvement District No. 2.

Removes 59.785 acres from the boundaries of Harris County Road Improvement District No. 2.

Effective Date: June 17, 2011

HB 3845 by Sheffiend  
Senator Sponsor: Ogden

Relating to the powers of the CLL Municipal Utility District No. 1.

Amends current law relating to the powers of the CLL Municipal Utility District No. 1 and provides authority to levy an assessment, impose a tax, and issue bonds.

Effective Date: June 17, 2011
HB 3847 by Lavender Senate Sponsor: Eltife

Relating to the Riverbend Water Resources District.

Restructures the district's board of directors and appoint a temporary administrator to oversee the transition to the new board.

Effective Date: June 17, 2011

HB 3852 by Pitts Senate Sponsor: Birdwell

Relating to the creation of the Midlothian Municipal Management District No. 2.

Amends current law relating to the creation of the Midlothian Municipal Management District No. 2 and provides authority to impose a tax, levy an assessment, and issue bonds. Gives the District road powers.

Effective Date: June 17, 2011

HB 3857 by Dutton Senate Sponsor: Gallegos

Relating to the creation of the Near Northside Management District.

Creates Near Northside Management District of Harris County (District). Specifies that all or part of the District's area is eligible to be included in a tax increment reinvestment zone, a tax abatement reinvestment zone, or an enterprise zone. Specifies that the District is to be governed by a board of nine directors that are to be appointed by the governing body of the City of Houston. Names the initial nine directors. Grants the District housing finance powers under the Local Government Code. Specifies that the District may not exercise the power of eminent domain. Specifies that the District may not finance a project unless a written petition requesting that service or improvement is filed with the board. Specifies that the District may not impose an impact fee or assessment on property that provides public gas, electricity, telephone, sewage, or water service.

Effective Date: June 17, 2011

HB 3859 by Laubenberg Senate Sponsor: Deuell

Relating to the creation of the Club Municipal Management District No. 1.

Creates Club Municipal Management District No. 1. Provides the authority to levy an assessment and issue bonds.

Effective Date: September 1, 2011

HB 3862 by Wayne Smith Senate Sponsor: Whitmire

Relating to temporary directors and the continuation in existence of the Harris County Municipal Utility District No. 510.

Amends the law governing the Harris County Municipal Utility District to eliminate the deadline for a confirmation election, extend the period during which temporary directors may serve on the district’s board of directors, and allow the district to continue in existence.

Effective Date: June 17, 2011
HB 3864  by Gooden  Senate Sponsor: Deuell

Relating to the creation of the Lazy W District No. 1.

Amends current law relating to the creation of the Lazy W District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Effective Date: June 17, 2011

HB 3866  by Doug Miller  Senate Sponsor: Fraser

Relating to the date for the election of directors of the Hill Country Underground Water Conservation District.

Amends the enabling Act of the Hill Country Underground Water Conservation District to change the directors’ election date from the May uniform election date of odd-numbered years to the November uniform election date of even-numbered years. Sets the terms of office for the current District directors that were elected in May 2009 and May 2011.

Effective Date: June 17, 2011

SB 181  by Shapiro  House Sponsor: Laubenberg

Relating to the reporting of water conservation measures by municipalities and water utilities.

Requires municipalities and water utilities with more than 3,300 connections to implement reporting measures established by the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ). Municipalities and water utilities would be required to implement the reporting measures only at a level currently available to the entity. TCEQ could not adopt a rule that would require an entity to report water use data that is more detailed than the entity’s billing system is capable of producing; however, the rules may require billing systems purchased after September 1, 2011, be capable of reporting detailed water use data as described in the subchapter. The TCEQ and TWDB are required to consult with the Water Conservation Advisory Council to develop uniform methodology and guidance for calculating and reporting municipal water use and conservation to be used in water conservation plans and reports and must be available by September 1, 2012. Requires TWDB and TCEQ to adopt rules on the reporting of water conservation measures by municipalities and water utilities. The TWDB is required to bi-annually submit a report to the Legislature on statewide water usage, projected water use and conservation, and the status of implementation of state water plan projects beginning January 1, 2015.

Effective Date: June 17, 2011

SB 233  by Deuell  House Sponsor: Driver

Relating to the creation of the Rowlett Pecan Grove Management District.

Creates the Rowlett Pecan Grove Management District with the powers and duties of a municipal utility district under Water Code Chapters 49 and 54, an Improvement District in a municipality and county under Local Government Code Chapter 372, a Municipal Management District under Local Government Code Chapter 375, and a Type B Corporation under Local Government Code Chapter 505. Provides the authority to impose a tax, levy an assessment, and issue bonds.

Effective Date: June 17, 2011
SB 234 by Deuell    House Sponsor: Driver

Relating to the creation of the Rowlett Downtown Management District.

Creates the Rowlett Downtown Management District, which would have the authority to impose a tax, levy an assessment, and issue bonds, but would be prohibited from exercising the power of eminent domain.

Effective Date: June 17, 2011

SB 271 by Uresti    House Sponsor: Menendez

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

Amends Bexar Metropolitan Water District’s (BMWD) enabling statute by increasing the number of board members from five at large members to seven from single member districts and set a three term limit for board members. BMWD board members must be qualified voters living in the district. The BMWD Oversight Committee will continue with seven members instead of five. There will be two senators appointed by the Lieutenant Governor, two representatives appointed by the Speaker, two public representatives (one with water utility experience) appointed by the Governor and one representative from the Bexar County Commissioners Court. Specifies that the Oversight Committee reports to the Legislature by December 31, 2012 and is abolished on January 1, 2013. Establishes eligibility qualifications and specific training requirements for a person to be elected or appointed to the BMWD board. TCEQ may create an advanced training program that can be used by new and existing BMWD board members. Board members must meet the training requirements each term or they shall be considered incompetent and removed. A process to recall a BMWD board member is included.

Effective Date: June 17, 2011

SB 333 by Fraser    House Sponsor: Tracy King

Relating to election procedures and qualifications of members of boards of directors for water supply or sewer service corporations.

Establishes qualifications for prospective board members of water supply or sewer service corporations; institutes a process and timeline for getting a name on a ballot; sets the information required on a ballot and how the ballot must be handled; takes away the option of proxies; changes the definition of a quorum; and requires an election auditor.

Effective Date: September 1, 2011

SB 341 by Uresti    House Sponsor: Menendez

Relating to the appointment of a conservator for and authorizing the dissolution of the Bexar Metropolitan Water District.

Requires TCEQ, instead of a conservator, to evaluate Bexar Metropolitan Water District (BMWD) and to establish and oversee a rehabilitation plan. Authorizes the TCEQ to employ or contract with a person to carry out any duties required in the bill and to be reimbursed by BMWD for all related expenses.

Effective Date: June 17, 2011
SB 475  by Dan Patrick  House Sponsor:  Fletcher

Relating to the creation of the Harris County Municipal Utility District No. 524.

Creates a MUD No. 524, with limited road powers and additional district division powers, over a tract of of land in Harris County. Provides authority to impose a tax and issue bonds, and granting a limited power of eminent domain.

Effective Date:  June 17, 2011

SB 512  by Hegar  House Sponsor:  Creighton

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

Provides that a person may qualify to serve as supervisors of a fresh water supply district by being a registered voter of the district.

Effective Date:  September 1, 2011

SB 564  by Uresti  House Sponsor:  Gallego

Relating to the election of members of the board of directors of the Middle Pecos Groundwater Conservation District.

Changes the election date for directors of the Middle Pecos Groundwater Conservation District from May to November of each even-numbered year. Sets the terms of office for the present directors, and validates the District’s actions taken before the effective date of the Act. The validation of District actions does not apply to matters that, on the effective date of the Act, have been or could be held invalid by a final court judgment.

Effective Date:  May 28, 2011

SB 569  by Mike Jackson  House Sponsor:  Larry Taylor

Relating to the rates charged by certain conservation and reclamation districts for potable water or wastewater service to recreational vehicle parks.

Requires water districts to use the same basis for determining water and wastewater rates for campgrounds and RV parks as they use for commercial entities served by the district. It sets forth language to define an RV as a commercial entity and require a water district that provides non-sub metered master meter utility service to an RV park to determine rates for that service to an RV park on the same basis as the district would determine rates for a commercial entity.

Effective Date:  September 1, 2011
SB 573  by Nichols  House Sponsor:  Creighton

Relating to certificates of public convenience and necessity for water or sewer services.

Creates a new expedited Certificate of Convenience and Necessity (CNN) release process for landowners in counties with a population of 1 million—including adjacent counties, as well as counties with a population of between 200,000 and 220,000, but the process would not apply in a county with a population of 45,500 to 47,500.  Reduces the acreage requirement for an expedited release from a CCN from 50 acres to 25 acres.  Also deletes the current petition requirements for an expedited release, other than the requirement that the petitioner not be in a platted subdivision.  Also shortens TCEQ’s review period from 90 to 60 days and require the TCEQ to approve all petitions.  Puts a limitation that the TCEQ may not deny a petition based on the fact that a CCN holder is a borrower under a federal loan program.  Various provisions of the bill would apply only to certain types of counties, while certain counties would be specifically exempted from various other provisions of the bill.

Effective Date:  September 1, 2011

SB 580  by Hegar  House Sponsor:  Morrison

Relating to community assistance and economic development program activities of the Lavaca-Navidad River Authority.

Amends the enabling legislation of the Lavaca-Navidad River Authority to provide it with the authority to sponsor and participate in an economic development program within the boundaries of the Authority or its water service area.  Further provides that the program may involve the granting or lending of money, services, or property to a person engaged in an economic development activity.  Provides that an economic development program is established by formal action of the District’s Board of Directors, and requires the Board of Directors to take certain steps to ensure that a governmental purpose is achieved.  Provides that the District may employ staff and spend its resources, other than money received from an ad valorem tax or a general appropriation; apply for and receive money, grants, or assistance; and enter into agreements.  Finally, requires the District to adopt certain guidelines if it proposes to provide scholarships, grants, loans, or financial assistance to a public fire-fighting organization.

Effective Date:  September 1, 2011

SB 629  by Hegar  House Sponsor:  Isaac

Relating to the Ranch at Clear Fork Creek Municipal Utility District No. 1.

Provides for additional powers of the Ranch at Clear Fork Creek Municipal Utility District No. 1, including the addition of road powers, providing for division of the district, and placing limitations on eminent domain powers.  Also adds an additional 1136.29 acres currently located partially in the city limits or extraterritorial jurisdiction of the City of Uhland and located within Caldwell County.  It amends current law relating to the Ranch at Clear Fork Creek Municipal Utility District No. 1, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

Effective Date:  June 17, 2011
SB 630  by Hegar  House Sponsor:  Isaac

Relating to the Ranch at Clear Fork Creek Municipal Utility District No. 2.

Provides for additional powers of the Ranch at Clear Fork Creek Municipal Utility District No. 2, including the addition of road powers, providing for division of the district, and placing limitations on eminent domain powers. Also adds an additional 1193.5 acres currently located partially in the city limits or extraterritorial jurisdiction of the City of Uhland and located within Caldwell County. It also amends current law relating to the Ranch at Clear Fork Creek Municipal Utility District No. 2, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

Effective Date:  May 9, 2011

SB 683  by Huffman  House Sponsor:  Bonnen

Relating to the composition of the board of directors of the Gulf Coast Water Authority.

Adds two director positions to the board, for a total of nine directors, and specifies that one position shall be appointed by the Commissioners Court of Fort Bend County and the other position shall be appointed by the Commissioners Court of Brazoria County. Specifies that the directors appointed by Commissioners Courts of Fort Bend and Brazoria Counties must be recommended by one or more Authority customers located in Fort Bend or Brazoria County and must reside in that county.

Effective Date:  June 17, 2011

SB 684  by Huffman  House Sponsor:  Charlie Howard

Relating to the transfer of the assets of and the dissolution of the Fort Bend County Water Control and Improvement District No. 1.

Transfers all assets, debts, and contractual rights and obligations from the Fort Bend County Water Control and Improvement District No. 1 to the City of Sugar Land and dissolves the District subject to the City passing a resolution accepting the transfer. Upon dissolution of the District, a District Certificate of Adjudication shall be transferred to the City and the City shall notify TCEQ of the transfer and the dissolution. Specifies that the TCEQ shall transfer the Certificate of Adjudication to the City and note the transfer in the TCEQ records.

Effective Date:  April 29, 2011

SB 768  by Watson  House Sponsor:  Dukes

Relating to the creation of the Rio de Vida Planning and Improvement District No. 1.

Creates the Rio de Vida Municipal Utility District No. 1 (District). The District is proposed to have all the powers and duties of a traditional municipal utility district as well as a small number of economic development powers traditionally granted to municipal management districts. The District will not have the authority to condemn property and will have the authority to divide into multiple districts within the footprint of the district to be created.

Effective Date:  June 17, 2011
SB 813  by Gallegos  House Sponsor: Wayne Smith

Relating to the creation of the Harris County Municipal Utility District No. 528.

Creates Harris County Municipal Utility District No. 528 (District). Specifies that the District may not hold a confirmation election until all municipalities located in the District consent to the creation. Specifies that on or after the effective date of the bill, the owner or owners of a majority of assessed valuation of the real property within the District may submit a petition to the Commission for the appointment of the five temporary directors for the District and that the Commission shall appoint the five persons named in the petition, regardless of eligibility. Gives the District road powers. Further limits the District's power of eminent domain by specifying that the District may not exercise the power of eminent domain to acquire a site for any road or recreational facility.

Effective Date: June 17, 2011 & September 1, 2011

SB 832  by Rodriguez  House Sponsor: Quintanilla

Relating to voter eligibility and registration in El Paso County Water Improvement District No. 1.

Requires that for an individual to be able to vote in the El Paso County Water Improvement District No. 1 (District), the individual must be: (1) 18 years of age or older; (2) a U.S. citizen; (3) hold title or interest in title to irrigable land within the boundaries of the District; and (4) receives and uses irrigation water delivered by the District through the District’s canal system. Requires an eligible voter to register no later than 30 days before a District election is held in order to vote in the election. Requires the District to file with the county clerk of El Paso County a certified copy of the list of the District’s registered voters not later than the 25th day before an election is held. Specifies that not later than the 60th day and not earlier than the 90th day before the date of each District election, the District shall publish notice of the voter eligibility and registration requirements.

Effective Date: September 1, 2011

SB 900  by Gallegos  House Sponsor: Thompson

Relating to the Aldine Improvement District.

Changes the Aldine Improvement District's name to East Aldine Management District and increases the amount of land within the District's boundaries. Specifies that the revenue received from sales and use taxes may be used by the District for any purpose for which any revenue of the District may be used. Allows the District's board to establish one or more areas within the District as a special sales and use tax zone. Also validates all acts of the District taken before the effective date of the bill.

Effective Date: June 17, 2011

SB 914  by Wentworth  House Sponsor: Doug Miller

Relating to the applicability to certain regional water districts of provisions concerning bond approval by the Texas Commission on Environmental Quality.

Exempts a conservation and reclamation district located in at least three counties that has the rights, powers, privileges and functions applicable to a river authority from the requirement of obtaining prior bond approval from the TCEQ.

Effective Date: May 9, 2011
SB 942  by Watson  House Sponsor: Workman

Relating to the creation and financing of the Lakeway Regional Medical Center Defined Area in Travis County Water Control and Improvement District No. 17.

Creates Lakeway Regional Medical Center Defined Area within Travis County Water Control and Improvement District No. 17. Grants the Defined Area road powers. Specifies that the District is to be governed by the statutes relating to water control and improvement districts under the Water Code. Specifies that the Water Code statutes relating to the requirement to hold an election to confirm the Defined Area and the development of a tax plan do not apply. Also specifies that the Water Code statutes relating to the requirement to hold an election for the issuance of bonds by the Defined Area do not apply. Further specifies that the District may impose a contract tax in the Defined Area only and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the Defined Area voters in accordance with the Water Code.

Effective Date:  September 1, 2011

SB 987  by Hegar  House Sponsor: Kleinschmidt

Relating to the term of office and qualifications for a director of the Colorado County Groundwater Conservation District.

Provides that the director of the Colorado County Groundwater Conservation District may serve only two full consecutive terms in the same position. Also provides that three directors will be elected from Colorado County at large instead of individually from the cities of Columbus, Eagle Lake, and Weimar.

Effective Date:  June 17, 2011

SB 1082  by Hegar  House Sponsor: Laubenberg

Relating to strategic partnerships for the continuation of certain water districts annexed by a municipality.

Amends the Local Government Code to include in the definition of a "district," a conservation and reclamation district operating under Chapter 49 of the Water Code that could enter into certain strategic partnerships with a municipality. The term would not include a groundwater conservation district operating under Chapter 36 of the Water Code or a special utility district operating under Chapter 65 of the Water Code. Also adds that a district or the area of a district annexed for limited purposes under Section 43.0751 of the Local Government Code, must be in the municipality’s extraterritorial jurisdiction, and contiguous to the corporate boundaries of the municipality or an area annexed by the municipality for limited purposes, unless the district consents to noncontiguous annexation under a strategic partnership agreement with the municipality. Also prohibits a municipality from regulating the sale, use, storage, or transportation of fireworks outside of the municipality's boundaries under Section 43.0751 or 43.0752.

Effective Date:  September 1, 2011

SB 1140  by Watson  House Sponsor: Hartnett

Relating to payment by a water control and improvement district for certain damages caused by the district’s operation of a sanitary sewer system.

Authorizes a water control and improvement district to pay actual property damage caused by the backup of the district’s sanitary sewer system regardless of liability under Chapter 101 of the Civil Practice and Remedy Code. Also would not waive governmental immunity from suit or liability.

Effective Date:  May 28, 2011
SB 1184  by Nichols  House Sponsor: Christian

Relating to the creation of the Timber Springs Municipal Management District.

Creates the Timber Springs Municipal Management District (District) and provides for the District's administration, powers, operation, and financing, and the appointment of the District's board of directors. Authorizes the District to impose property taxes and to levy assessments on property within its boundaries, to impose and collect other revenues for its public purposes, and to issue voter-approved bonds and other obligations that are secured by such property taxes to finance costs associated with public infrastructure, including water, sanitary sewer, drainage, roadway, public green space, lighting, sidewalks, landscaping, and streetscaping improvements. The District does not have the power of condemnation.

Effective Date: June 17, 2011

SB 1225  by Hegar  House Sponsor: Isaac

Relating to the deannexation of land in Caldwell County by the Gonzales County Underground Water Conservation District.

Requires the Gonzales County Underground Water Conservation District (UWCD) to de-annex any areas located in Caldwell County. It requires action by the Gonzales County UWCD, the Plum Creek Conservation District (CD), and the landowners with property presently located in both districts. The landowners will decide whether to be de-annexed from either the Gonzales County UWCD or the Plum Creek CD by a specified deadline. The two districts will then de-annex the land by resolution.

Effective Date: June 17, 2011

SB 1234  by West  House Sponsor: Dutton

Relating to municipal management districts.

Amends the Local Government Code regarding rules and regulations governing municipal management districts. Expands the definition of a disadvantaged business to include any person certified as a disadvantaged business by the State or a political subdivision of the State. Specifies powers of a district for a road project and a mass transit system. Any act made by a district would be presumed valid after the third anniversary of the effective date unless deemed invalid by a court. A district would not be required to submit bonds that are not public securities to the attorney general for review. A municipality would be authorized to dissolve a district even if the district has outstanding bond indebtedness. A district would be authorized to enter into a strategic partnership agreement with a municipality if the district has territory in the extraterritorial jurisdiction of the municipality. Amends the Local Government Code to allow an improvement project or service provided by a district to include theatres, studios, exhibition halls, production facilities and related ancillary facilities.

Effective Date: September 1, 2011

SB 1290  by Hegar  House Sponsor: Hunter

Relating to the creation of the Calhoun County Groundwater Conservation District.

Creates the Calhoun County Groundwater Conservation District (District) to manage groundwater in district territory. Authorizes the District to impose certain reasonable well fees and prohibits the District from imposing a tax. Prohibits the District from exercising the power of eminent domain.

Effective Date: September 1, 2011
SB 1361 by Estes House Sponsor: Hardcastle

Relating to the audit report exemption for districts created pursuant to the Water Code.

Increases the threshold from $100,000 to $250,000 for gross receipts from operations, loans, taxes, or contributions for certain water districts to be allowed to file an annual financial report in lieu of complying with an annual audit from the TCEQ.

Effective Date: August 29, 2011

SB 1492 by Uresti House Sponsor: Hilderbran

Relating to the election of directors of the Real-Edwards Conservation and Reclamation District.

Amends the enabling act for the Real-Edwards Conservation and Reclamation District to provide that director terms expire on January 1 of odd-numbered years and that the director elections are held on the uniform election date in November of even-numbered years. Provides that a director candidate must identify the position for which they seek office and must be a registered voter eligible for the position. Provides the November 6, 2012 election date for four directors and the November 4, 2014 election date for the other five directors.

Effective Date: May 28, 2011

SB 1493 by Uresti House Sponsor: Farias

Relating to the qualifications of directors of a defense base management authority.

Amends the Local Government Code relating to the directors of a defense base management authority. Requires the board of an authority to study the effectiveness of the authority and to submit a report to the legislature on the effectiveness of the authority.

Effective Date: June 17, 2011

SB 1875 by Hinojosa House Sponsor: Munoz

Relating to the governing body of the Agua Special Utility District.

Authorizes a director of the Agua Special Utility District to serve two terms consecutively, provides that initial appointment counts as one term, and specifies that a person who is initially appointed is considered eligible to serve as an elected director.

Effective Date: September 1, 2011

SB 1877 by Hegar House Sponsor: Isaac

Relating to the creation of the Oatman Hill Municipal Utility District.

Creates the Oatman Hill Municipal Utility District (District) and provides the District authority to impose a tax and issue bonds, grants a limited power of eminent domain.

Effective Date: June 17, 2011 & September 1, 2011
SB 1880 by Huffman    House Sponsor:  Charlie Howard

Relating to the powers and duties of the Imperial Redevelopment District.

Updates the Imperial Redvelopment District's (District) enabling legislation regarding these powers, by including standardized language consistent with other management districts. Authorizes the District to undertake sports and community venue projects. These powers will be used, among other things, to provide necessary services and improvements to serve a new minor league baseball stadium to be constructed by the city. Provides the District authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

SB 1882 by Dan Patrick    House Sponsor:  Fletcher

Relating to the creation of Harris County Improvement District No. 22.

Creates Harris County Management District No. 22 (District) as a political subdivision to accomplish the public infrastructure and economic development purposes of the district. 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 Districts Local Law Code. Amends current law relating to the creation of Harris County Improvement District No. 22 and provides authority to levy an assessment, impose a tax, and issue bonds.

Effective Date:  June 17, 2011

SB 1895 by Hegar    House Sponsor:  Morrison

Relating to director elections and powers of the Texana Groundwater District.

Amends current law relating to director elections and powers of the Texana Groundwater Conservation District. It changes the election date of the Board of Directors from the May uniform election date to the November uniform election date. It deletes the power of eminent domain from the power of the district and it deletes the power to contract with a river authority to perform the functions of the district.

Effective Date:  June 17, 2011

SB 1899 by Nichols    House Sponsor:  Pitts

Relating to compensation for services and reimbursement for expenses of a member of the board of directors of the Lake View Management and Development District.

Allows Lake View Management and Development District to compensate its board of directors in the manner and amounts comparable to districts of its type.

Effective Date:  June 17, 2011

SB 1913 by Watson    House Sponsor:  Rodriguez

Relating to the creation of the Southeast Travis County Municipal Utility District No. 1.

Creates Southeast Travis County Municipal Utility District No. 1 and provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011
SB 1914  by Watson  House Sponsor:  Rodriguez

Relating to the creation of the Southeast Travis County Municipal Utility District No. 2.

Creates Southeast Travis County Municipal Utility District No. 2 and provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

SB 1915  by Watson  House Sponsor:  Rodriguez

Relating to the creation of the Southeast Travis County Municipal Utility District No. 3.

Creates Southeast Travis County Municipal Utility District No. 3 and provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

SB 1916  by Watson  House Sponsor:  Rodriguez

Relating to the creation of the Southeast Travis County Municipal Utility District No. 4.

Creates Southeast Travis County Municipal Utility District No. 4 and provides authority to impose a tax and issue bonds.

Effective Date:  June 17, 2011

SB 1920  by Gallegos  House Sponsor:  Eiland

Relating to the powers of the Coastal Water Authority.

Clarifies certain powers and limitations upon the authority and provides certain additional powers to the authority. Authorizes the Coastal Water Authority (authority) to participate in a wetland mitigation program. Authorizes the authority to contract with a private or public entity to sell or trade credits, offsets, tax credits, or other similar marketable instruments authorized by law and available to the authority that are attributable to a wetland mitigation or other environmental mitigation project or activity of the authority. Authorizes the authority to issue bonds or notes secured by a pledge of any stream of revenue received from such projects, activities, or transactions for any authorized purpose of the authority. Authorizes the authority to contract with any other governmental entity to issue bonds or notes secured by revenue of the governmental entity attributable to any wetland mitigation or other environmental mitigation project, activity, or transaction. Authorizes the proceeds of the bonds to be used to fund any authorized purpose of the authority or any joint project with the participating governmental entity.

Effective Date:  June 17, 2011

SB 1922  by Lucio  House Sponsor:  Oliveira

Relating to the creation of the Port Isabel Improvement District No. 1.

Provides authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Effective Date:  June 17, 2011
Amendment authorizing the legislature to permit conservation and reclamation districts in El Paso County to issue bonds supported by ad valorem taxes to fund the development and maintenance of parks and recreational facilities.

Authorizes the legislature, for development of parks and recreational facilities, to authorize indebtedness payable from taxes as may be necessary to provide for improvements and maintenance only for a conservation and reclamation district all or part of which is located in certain counties, including El Paso County. Provides that the legislature intends to expand the authority of the legislature with regard to conservation and reclamation districts in El Paso County. Provides that the proposed amendment should not be construed as a limitation on the powers of the legislature or of a district with respect to parks and recreational facilities as those powers exist immediately before the amendment takes effect.

**Effective Date:** November 8, 2011