

BILL ANALYSIS

Senate Research Center

H.B. 2096
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Intergovernmental Relations
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Engrossed

DIGEST

Currently, navigation districts are required to select depositories every two years. This two-year renewal limit may be costly and inefficient. The bill allows navigation districts to select depositories without a time limit on the selection period.

PURPOSE

As proposed, H.B. 2096 allows navigation districts to select depositories without a time limit on the selection period.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 60.271, Water Code, as follows:

Sec. 60.271. SELECTION OF DEPOSITORY. Authorizes the Texas Natural Resource Conservation Commission (commission) to select a depository for the navigation district (district) in the same manner that a municipality selects a municipal depository under Chapter 105, Local Government Code, rather than under the law providing for the selection of a county depository. Requires the commission to act in the same capacity and perform the same duties as the governing body of a municipality, rather than a county judge and the commissioners court, in selecting a municipal, rather than county, depository. Requires the chairman of the commission to act in the same capacity and perform the same duties as the mayor of a municipality. Requires the treasurer of the district to act in the same capacity and perform the same duties as the treasurer of a municipality. Prohibits a bank, credit union, or savings association from using personal bonds to secure district funds. Provides that Chapter 2256B, Government Code does not govern the investment of district funds. Provides that Section 105.074(e), Local Government Code, applies the designated officer of the district. Authorizes the designated officer of a district to draw a check on a depository only on a warrant signed by the chairman and attested by the secretary of the district. Defines "designated officer."

SECTION 2. Amends Section 61.212, Water Code, to require the commission to select a depository for the district as provided by Section 60.271, rather than law for the selection of a county depository. Deletes a provision requiring the depository selected by the commission to serve as the depository for the district for two years and until its successor is selected and has qualified.

SECTION 3. Amends Section 62.156, Water Code, to require the commission to select a depository as provided by Section 60.271. Deletes existing Subsections (a)-(c).

SECTION 4. Amends Section 63.222, Water Code, to delete the requirement that the district depository be designated at the time, in the manner, and under the same regulations and laws as county depositories. Makes a conforming change.

SECTION 5. Repealer: Sections 61.213, 62.157-62.158, and 63.223, Water Code (District

Treasurer's Duties, Payment of District Revenue, Audit of Revenue, and Warrants).

SECTION 6. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 7. Emergency clause.