

BILL ANALYSIS

Senate Research Center
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S.B. 1646
By: Bernsen
Natural Resources
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As Filed

DIGEST AND PURPOSE

The Coastal Water Authority (authority), authorized by the 60th Legislature, is a conservation and reclamation district located in the three-county area encompassing all of Harris County and parts of Chambers and Liberty counties. As proposed, S.B. 1646 authorizes the authority to abandon certain canals, laterals, or ditches that are no longer needed to provide water to customers; changes the qualifications for persons eligible to be appointed to the board of directors from Liberty County; and authorizes the authority to issue refunding bonds.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3, Chapter 601, Acts of the 60th Legislature, Regular Session, 1967 (Article 8280-355, V.T.C.S.), as follows:

Sec. 3. Expressly authorizes the Coastal Water Authority (authority), provided that the authority has no existing contractual obligation to any person, corporation or political subdivision to use a particular canal, lateral or ditch to transport or deliver water, to abandon, sell, release or deconstruct that canal, ditch or lateral if certain conditions apply.

Deletes text requiring the authority to comply with the provisions of Chapter 1, Title 128, Revised Civil Statutes of Texas, 1925, as amended. Prohibits anything herein contained from precluding the authority from acquiring water rights under any law or permits heretofore or hereafter issued, provided acquisition of the same is approved by order or subsequent permit from the Texas Natural Resource Conservation Commission.

SECTION 2. Amends Section 5(a), Chapter 601, Acts of the 60th Legislature, Regular Session, 1967 (Article 8280-355, V.T.C.S.), to provide that, beginning in the year 2005, a person appointed to the board of directors by the governor need not be a resident within the boundaries of the authority if the person is a resident within the area of Liberty County south of U.S. Highway 90 and west of the Trinity River.

SECTION 3. Amends Chapter 601, Acts of the 60th Legislature, Regular Session, 1967 (Article 8280-355, V.T.C.S.), by adding Section 6(a), as follows:

Sec. 6(a). Provides that the authority is authorized to issue its refunding bonds to refund any authority bond or obligation in accordance with the laws of the state including bonds or other obligations that have previously been defeased by the authority by escrowing United States government obligations to pay the principal, interest and redemption price to their maturity date and would otherwise be deemed to be no longer outstanding.

SECTION 4. Effective date: September 1, 2001.