

BILL ANALYSIS

Senate Research Center

H.B. 1875
By: Wise (Lucio)
Administration
5-12-2003
Engrossed

DIGEST AND PURPOSE

H.B. 1875 clarifies legislation passed during the 77th Texas Legislature that created new water- and wastewater-related funds, including the colonia self-help account, under the Texas Water Development Board.

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 15.903, Water Code, as added by Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, as follows:

Sec. 15.903. WATER INFRASTRUCTURE FUND. Provides that the water infrastructure fund is a special fund, rather than account, in the state treasury, rather than general revenue fund, to be administered by the Texas Water Development Board (board) under this subchapter and rules adopted by the board under this subchapter. Makes conforming changes.

SECTION 2. Amends Section 15.903(e), Water Code, as added by Chapter 1234, Acts of the 77th Legislature, Regular Session, 2001, to provide that a loan provided under this subchapter may not exceed a term of 20 years. Deletes text providing that a loan provided under this subchapter may not exceed \$250,000 for each project.

SECTION 3. Amends Section 15.951, Water Code, as added by Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, as follows:

Sec. 15.951. PURPOSE. Includes water quality enhancement projects in the purpose of this chapter.

SECTION 4. Amends Section 15.953, Water Code, as added by Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, as follows:

Sec. 15.953. FUND. Provides that the rural water assistance fund is a special fund in the state treasury, rather than a special account in the general revenue fund. Provides that the fund consists of certain monies including interest earned on the investment of money in the fund and depository interest allocable to the fund rather than in the general revenue fund.

SECTION 5. Amends Sections 15.954(a) and (b), Water Code, as added by Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, as follows:

(a) Authorizes the fund to be used to provide low-interest loans to rural political subdivisions for water or water-related projects and for water quality enhancement projects, including the purchase of well fields, the purchase or lease of rights to produce groundwater, onsite or wetland wastewater treatment facilities, and interim financing of construction projects.

(b) Authorizes the fund to be used to enable a rural political subdivision to obtain water or wastewater service supplied by larger political subdivisions or to finance the consolidation or regionalizing of neighboring political subdivisions or both.

SECTION 6. Amends Sections 15.952(a) and (b), Water Code, as added by Chapter 1234, Acts of the 77th Legislature, Regular Session, 2001, as follows:

(a) Provides that the colonia self-help account is an account in the water assistance fund, rather than in the general revenue fund, that may be used, rather than appropriated, by the board only for the purposes of this subchapter.

(b) Deletes the provision that interest earned on money credited to the account is among the funds of the account.

SECTION 7. Amends Section 49.153(e), Water Code, to provide that Subsection (c) does not apply to certain notes or districts, including a note issued to and approved by the North American Development Bank.

SECTION 8. Amends Section 49.181(a), Water Code, to make a conforming change.

SECTION 9. Amends Sections 49.183(a) and (b), Water Code, to make conforming changes.

SECTION 10. Effective date: upon passage or September 1, 2003.