

## **BILL ANALYSIS**

Senate Research Center  
82R4760 TRH-F

S.B. 370  
By: Seliger  
Natural Resources  
3/4/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This bill prohibits the Texas Water Development Board from approving an application for financing of a water infrastructure project included in the State Water Plan if the applicant has not satisfactorily completed an infrastructure financing survey.

As proposed, S.B. 370 amends current law relating to the authority of the Texas Water Development Board to provide financial assistance for certain projects if the applicant has failed to complete a request for information relevant to the project.

### **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 15.975, Water Code, by adding Subsection (d), as follows:

(d) Prohibits the Texas Water Development Board (TWDB) from approving an application if the applicant has failed to satisfactorily complete a request by the executive administrator of TWDB (executive administrator) or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q) (relating to TWDB providing technical and financial assistance to the regional water planning groups in the development of their plans).

SECTION 2. Amends Section 15.912, Water Code, as follows:

Sec. 15.912. CONSIDERATIONS IN ACTING ON APPLICATION. (a) Creates this subsection from existing text. Makes no further changes.

(b) Prohibits TWDB from accepting an application for a loan or grant of financial assistance from the fund for a project recommended through the state and regional water planning processes under Sections 16.051 (State Water Plan: Drought, Conservation, Development, and Management; Effect of Plan) and 16.053 (Regional Water Plans) if the applicant has failed to satisfactorily complete a request by the executive administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q).

SECTION 3. Amends Section 16.131, Water Code, as follows:

Sec. 16.131. AUTHORIZED PROJECTS. (a) Creates this subsection from existing text. Makes a nonsubstantive change.

(b) Prohibits TWDB from using the state participation account of the development fund to finance a project recommended through the state and regional water planning processes under Sections 16.051 and 16.053 if the applicant has failed to satisfactorily complete a request by the executive

administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q).

SECTION 4. Effective date: September 1, 2011.