

1-1 By: Miller (Senate Sponsor - Creighton) H.B. No. 4712
1-2 (In the Senate - Received from the House May 6, 2019;
1-3 May 10, 2019, read first time and referred to Committee on Water &
1-4 Rural Affairs; May 19, 2019, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 19, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Perry</u>	X		
1-9	<u>Creighton</u>	X		
1-10	<u>Alvarado</u>	X		
1-11	<u>Johnson</u>	X		
1-12	<u>Kolkhorst</u>	X		
1-13	<u>Rodríguez</u>	X		
1-14	<u>Taylor</u>	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the powers and duties of the Fort Bend County Levee
1-18 Improvement District No. 7.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 7808.001(3), Special District Local Laws
1-21 Code, is amended to read as follows:

1-22 (3) "Reuse project [~~Project~~]" means a facility,
1-23 improvement, appliance, appurtenance, land, interest in property,
1-24 participation right, contract right, practice, technique, or
1-25 technology that:

1-26 (A) facilitates the recycling and reuse of water,
1-27 wastewater effluent, or other water or wastewater by-product; and

1-28 (B) results in additional water supplies for
1-29 future or alternative uses.

1-30 SECTION 2. Subchapter B, Chapter 7808, Special District
1-31 Local Laws Code, is amended to read as follows:

1-32 SUBCHAPTER B. REUSE PROJECT POWERS AND DUTIES

1-33 Sec. 7808.151. ACQUISITION OF REUSE PROJECT. The district
1-34 may acquire a reuse project, including by purchase or lease.

1-35 Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF
1-36 REUSE PROJECT. The district may construct, rehabilitate, repair,
1-37 improve, enlarge, operate, and maintain a reuse project.

1-38 [~~Sec. 7808.153. DELIVERY METHOD. The district may use
1-39 alternative delivery methods under Chapter 2267, Government Code,
1-40 as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature,
1-41 Regular Session, 2011, for a project, in addition to any method
1-42 provided by Chapters 49 and 57, Water Code.]~~

1-43 Sec. 7808.154. CONVEYANCE OF REUSE PROJECT. If the board
1-44 considers the terms appropriate and favorable to the district, the
1-45 district may convey a reuse project to a:

1-46 (1) municipality in whose extraterritorial
1-47 jurisdiction all or part of the district is located; or

1-48 (2) political subdivision located wholly or partly in
1-49 the district.

1-50 Sec. 7808.155. USE OF REUSE PROJECT WATER. If the board
1-51 considers the terms appropriate and favorable to the district, the
1-52 district may:

1-53 (1) use the water from a reuse project; or

1-54 (2) sell or otherwise provide the water to:

1-55 (A) a homeowners' or property owners' association
1-56 located in the district; or

1-57 (B) with the prior consent of a municipality
1-58 described by Section 7808.154(1), any person located in the
1-59 extraterritorial jurisdiction of that municipality, including a
1-60 political subdivision, private entity, and individual.

1-61 Sec. 7808.156. REUSE PROJECT FINANCING. The district may

2-1 finance a reuse project with property taxes, mandatory fees, or
2-2 voluntary contributions.

2-3 Sec. 7808.157. REUSE PROJECT BONDS. The district may issue
2-4 bonds or other obligations for a reuse project in the manner
2-5 provided by Subchapter G, Chapter 57, Water Code.

2-6 Sec. 7808.158. JOINT REUSE PROJECT. The district may act
2-7 jointly in regard to a reuse project under an agreement or contract
2-8 with any person, including a political subdivision, private entity,
2-9 or individual.

2-10 Sec. 7808.159. MUNICIPAL APPROVAL. (a) The plans and
2-11 specifications for the construction or modification of a reuse
2-12 project are subject to:

2-13 (1) the review and approval of any municipality in
2-14 whose extraterritorial jurisdiction all or part of the district is
2-15 located; and

2-16 (2) any ordinance, regulation, or standard criteria a
2-17 municipality described by Subdivision (1) may adopt relating to the
2-18 construction or operation of similar reuse projects in its
2-19 corporate limits or extraterritorial jurisdiction.

2-20 (b) The approval required by Subsection (a) must be in the
2-21 form of an ordinance or resolution adopted by the governing body of
2-22 the municipality. Approval for subsequent modifications,
2-23 extensions, or repairs of a reuse project may be given in the manner
2-24 the municipality customarily uses for other water supply
2-25 improvements in its corporate limits or extraterritorial
2-26 jurisdiction.

2-27 SECTION 3. Chapter 7808, Special District Local Laws Code,
2-28 is amended by adding Subchapter C to read as follows:

2-29 SUBCHAPTER C. CONTRACTS

2-30 Sec. 7808.201. DELIVERY METHOD. Notwithstanding the
2-31 limitations provided by Sections 2269.003 and 2269.352, Government
2-32 Code, for the design and construction of erosion control facilities
2-33 located in or adjacent to the Brazos River and any related facility
2-34 or improvement, the district may use a delivery method described
2-35 by:

2-36 (1) Chapter 2269, Government Code; or

2-37 (2) Subchapter I, Chapter 49, Water Code.

2-38 SECTION 4. This Act takes effect immediately if it receives
2-39 a vote of two-thirds of all the members elected to each house, as
2-40 provided by Section 39, Article III, Texas Constitution. If this
2-41 Act does not receive the vote necessary for immediate effect, this
2-42 Act takes effect September 1, 2019.

2-43 * * * * *