

1-1 By: Creighton S.B. No. 1914
1-2 (In the Senate - Filed March 8, 2023; March 20, 2023, read
1-3 first time and referred to Committee on Transportation;
1-4 April 5, 2023, reported favorably by the following vote: Yeas 8,
1-5 Nays 0; April 5, 2023, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|---------------|-----|-----|--------|-----|
| 1-7 Nichols | X | | | |
| 1-8 West | | X | | |
| 1-9 Alvarado | X | | | |
| 1-10 Eckhardt | X | | | |
| 1-11 Hancock | X | | | |
| 1-12 King | X | | | |
| 1-13 Miles | X | | | |
| 1-14 Parker | X | | | |
| 1-15 Perry | X | | | |
| 1-16 | | | | |

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to improvement projects of the Sabine-Neches Navigation
1-20 District of Jefferson County, Texas.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 6B(b), (c), and (e), Chapter 1472, Acts
1-23 of the 77th Legislature, Regular Session, 2001, are amended to read
1-24 as follows:

1-25 (b) The district is the project sponsor of the existing
1-26 Sabine-Neches Waterway and any [the] improvement project
1-27 authorized by the Water Resources Reform and Development Act of
1-28 2014 (Pub. L. No. 113-121) or any other federal development
1-29 initiative to improve an existing facility of the district, [and]
1-30 deepen the Sabine-Neches Waterway, or widen the Sabine-Neches
1-31 Waterway. The district is also the nonfederal cost-sharing sponsor
1-32 of an [the] improvement project under this section. The commission
1-33 shall make a determination on matters that may be required or
1-34 desirable as a project sponsor to implement an [the] improvement
1-35 project under this section.

1-36 (c) In the district's capacity as the project sponsor of an
1-37 [the] improvement project under this section, the district is
1-38 authorized to enter into any contract, agreement, including an
1-39 economic development agreement, or lease as necessary or convenient
1-40 to carry out any of the district's powers granted under this
1-41 section. A contract, agreement, or lease, including any amendments
1-42 to a contract, agreement, or lease, may provide any terms and
1-43 conditions, and be for any term of years, as the commission
1-44 determines are in the best interests of the district. The contract,
1-45 agreement, or lease may be entered into with any person, political
1-46 subdivision, or governmental agency, including the United States,
1-47 the secretary of the army or the secretary of the army's designees,
1-48 the Army Corps of Engineers, any local government, any county
1-49 government, any special district or authority, any local government
1-50 corporation, any transportation corporation, any tax increment
1-51 reinvestment zone, the State of Texas, any agency of the State of
1-52 Texas, and any other entity. The district is authorized to enter
1-53 into contracts with a private entity to develop or operate any part
1-54 of an [the] improvement project under Chapter 2267, Government
1-55 Code, and those contracts may provide that the private entity:

1-56 (1) perform all or any part of the district's
1-57 obligations under contracts or agreements with the United States;
1-58 and

1-59 (2) use revenue or other money from the improvement
1-60 project to prepay for duties or tariffs, including duties or
1-61 tariffs that may not be effective until the improvement project is

2-1 partially or wholly completed, which may be credited against future
2-2 duties or tariffs.

2-3 (e) The district is not required to obtain approval from the
2-4 Texas Commission on Environmental Quality for the district's
2-5 contracts or financing related to an [the] improvement project
2-6 under this section. Any contracts or agreements of the district may
2-7 be renewed or extended, and any time warrants or maintenance notes
2-8 may be refunded in the manner provided by general law.

2-9 SECTION 2. (a) The legislature validates and confirms all
2-10 governmental acts and proceedings of the Sabine-Neches Navigation
2-11 District of Jefferson County that were taken before the effective
2-12 date of this Act.

2-13 (b) This section does not apply to any matter that on the
2-14 effective date of this Act:

2-15 (1) is involved in litigation if the litigation
2-16 ultimately results in the matter being held invalid by a final court
2-17 judgment; or

2-18 (2) has been held invalid by a final court judgment.

2-19 SECTION 3. This Act takes effect immediately if it receives
2-20 a vote of two-thirds of all the members elected to each house, as
2-21 provided by Section 39, Article III, Texas Constitution. If this
2-22 Act does not receive the vote necessary for immediate effect, this
2-23 Act takes effect September 1, 2023.

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