

## BILL ANALYSIS

Senate Research Center  
78R8831 SGA-D

H.B. 919  
By: Eiland (Armbrister)  
Natural Resources  
5/10/2003  
Engrossed

### DIGEST AND PURPOSE

Chapter 49.211, Water Code, pertains to a district that has the authority and jurisdiction over drainage responsibilities to carry out its functions, powers, rights, and duties that will permit accomplishment of the purposes for which it was created. It requires a district to adopt a master drainage plan before it can adopt rules relating to the review and approval of proposed drainage plans submitted by property developers. However, such districts currently lack the authority to review and give written approval for plats, which would ensure that existing drainage channels, streams, or other drainage features are honored during the subdividing process. H.B. 919 provides for the review and approval of drainage reports submitted to certain special districts as part of a proposed subdivision.

### RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to certain special districts in SECTION 1 (Section 49.211, Water Code) of this bill.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49.211, Water Code, by amending Subsection (d) and adding Subsections (e), (f), and (g), as follows:

(d) Authorizes a district, by rule, to require that a property developer who proposes to subdivide land located in the district, and who is otherwise required to obtain approval of the plat of the proposed subdivision from a municipality or county, submit for district approval a drainage report for the subdivision. Requires the drainage report to include a map containing a description of the land to be subdivided. Requires the map to show an accurate representation of certain drainage features, drainage facilities, and any other parts of the property developer's plan for the subdivision that may affect drainage. Deletes existing text relating to actions taken if the district fails to approve the proposed plan.

(e) Requires the district to review each drainage report submitted to the district under this section and to approve a report if it shows compliance with certain requirements.

(f) Requires the district, on or before the 30th day after the date a drainage report is received, to send notice of the district's approval or disapproval of the drainage report to the property developer and each municipal or county authority with responsibility for approving the plat of the proposed subdivision.

(g) Requires the district, if the district disapproves a drainage report, to include in the notice of disapproval a written statement explaining the reasons for the rejection and recommending changes, if possible, that would make a revised version of the drainage report acceptable for approval.

SECTION 2. Effective date: upon passage or September 1, 2003.