

## **BILL ANALYSIS**

Senate Research Center

S.B. 2313  
By: Averitt  
Natural Resources  
4/8/2009  
As Filed

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

As proposed, S.B. 2313 creates the water plan projects fund to assist the Texas Water Development Board in the funding of certain projects identified in state and regional water plans. The bill establishes the fund as a special account within the Water Infrastructure Fund.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Water Development Board in SECTION 1 (Section 15.434, Water Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 15, Water Code, by adding Subchapter G, as follows:

#### SUBCHAPTER G. WATER PLAN PROJECTS FUND

Sec. 15.431. DEFINITIONS. Defines "bond enhancement agreement" and "debt service."

Sec. 15.432. WATER PLAN PROJECTS FUND. (a) Provide that the water plan projects fund (fund) is an account within the water infrastructure fund and consists of fees dedicated to the fund by the legislature.

(b) Requires the Texas Water Development Board (TWDB) to use the fund as a source of revenue for debt service related to the funding of water projects described by Subsection (c) and to meet obligations incurred under a bond enhancement agreement in connection with water projects described by Subsection (c)(2) (relating to certain water projects described by Chapter 17 (Public Funding)).

(c) Authorizes TWDB to use the fund as provided by this section for projects authorized under Subchapters E (Storage Acquisition Program) and Q (Water Infrastructure Fund) and Subchapters G (Financial Assistance for Flood Control), I (Revenue Bond Program), and K (Assistance to Economically Distressed Areas for Water Supply and Sewer Service Projects), Chapter 17.

Sec. 15.433. TRANSFER TO TEXAS WATER DEVELOPMENT FUND II. Requires the comptroller of public accounts to transfer from the fund to the Texas Water Development Fund II money that is to be used for a purpose described by Section 15.432(b) related to a project authorized under Subchapter G or I, Chapter 17, in which case the money is required to be deposited into the state participation account under Section 17.957 (State Participation Account) and Subchapter K, Chapter 17, in which case the money is required to be deposited into the economically distressed areas program account under Chapter 17.958 (Economically Distressed Areas Program Account).

Sec. 15.434. RULES. Requires TWDB to adopt rules providing for the use of the fund consistent with this subchapter.

SECTION 2. Amends Section 17.957(b), Water Code, to provide that the state participation account is composed of money transferred from the fund under Subchapter G, Chapter 15. Makes nonsubstantive changes.

SECTION 3. Amends Section 17.958(b), Water Code, to provide that the economically distressed areas program account is composed of money transferred from the fund under Subchapter G, Chapter 15. Makes nonsubstantive changes.

SECTION 4. Effective date: upon passage or September 1, 2009.