

BILL ANALYSIS

Senate Research Center
87R10778 SLB-F

S.B. 2175
By: Creighton; Nichols
Ports, Select
4/6/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of the proposed legislation is to ensure that tonnage from private or public facilities along the Neches River with respect to the Port of Beaumont's port facilities located within Orange County will not be considered as being an overlap count with the reporting efforts of the Port of Orange's United States Army Corps of Engineers (USACE) tonnage numbers. The Sabine-Neches Navigation District (which, although a navigation district, is not a port reporting entity for USACE tonnage calculations), Port of Beaumont Navigation District of Jefferson County, Texas, and the Port of Port Arthur Navigation and Port District of Jefferson County, Texas (which, although a reporting entity for USACE tonnage calculations, has no facilities in Orange County), are in support of the proposed legislation.

The Orange County Navigation and Port District of Orange County, Texas (Port of Orange) is proposing the establishment and clarification of boundaries of the Port of Orange for the sole purpose of attributing to the Port of Orange waterborne cargo volumes or other statistical measures, originating or departing within those boundaries (Special Purpose Boundaries). USACE measures the volume of cargo moving through U.S. ports in terms of tons, or "tonnage," based on each port's statistical boundaries. These numbers are used to rank ports in the United States.

The proposed special purpose boundaries for the Port of Orange ensure that the Port of Orange's reporting area includes all of Orange County other than the Port of Beaumont's facilities in Orange County, thus making clear that there is no overlap of the reporting area of the two ports.

As proposed, S.B. 2175 amends current law relating to special purpose territory of the Orange County Navigation and Port District of Orange County, Texas.

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 Chapter 5018, Special District Local Laws Code, as effective April 1, 2021, by adding Subchapter F, as follows:

SUBCHAPTER F. SPECIAL PURPOSE AREA

Sec. 5018.0301. DEFINITION. Defines "special purpose area" to mean the territory described by Section 2 of the Act enacting this subchapter.

Sec. 5018.0302. REPORTING OF CARGO AND VESSEL MOVEMENTS. (a) Authorizes waterborne commercial cargo and vessel movements originating in or departing from the special purpose area to be attributed as waterborne commercial cargo or vessel movements originating in or departing from the Port of Beaumont Navigation District of Jefferson County, Texas, for the purpose of reporting to the United States Army Corps of Engineers under applicable federal law.

(b) Authorizes waterborne commercial cargo and vessel movements originating in or departing from the territory of the Orange County Navigation and Port District of Orange County, Texas (district), not including the special purpose area to be attributed as waterborne commercial cargo or vessel movements originating in or departing from the district for the purpose of reporting to the United States Army Corps of Engineers under applicable federal law.

SECTION 2. Sets forth the boundaries of the special purpose area.

SECTION 3. Effective date: upon passage or September 1, 2021.