

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

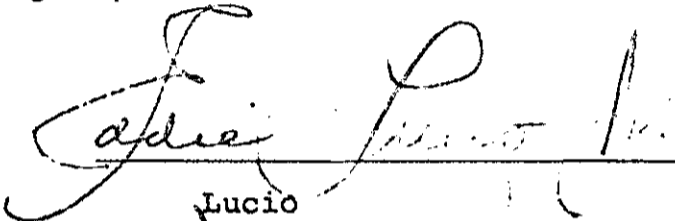
May 30, 2009
Date

Honorable David Dewhurst
President of the Senate

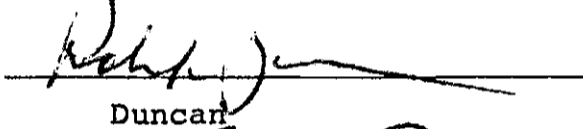
Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

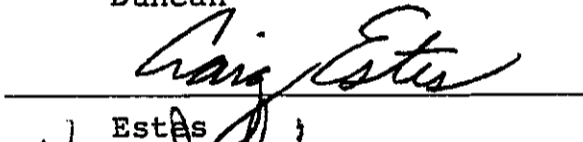
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2374 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



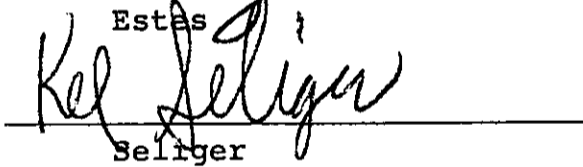
Lucio



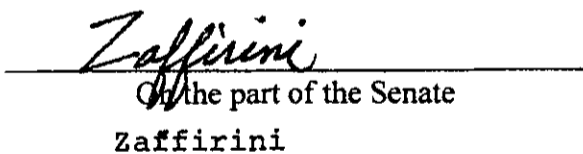
Duncan



Estes



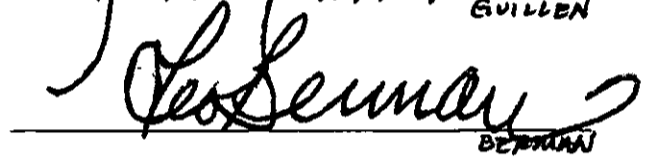
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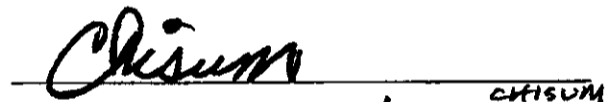
On the part of the Senate
Zaffirini



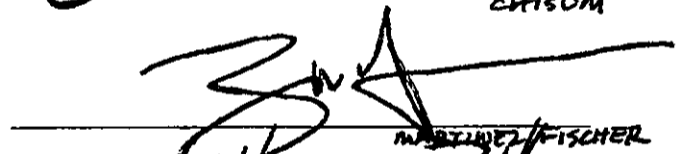
GUILLEN



BERTRAM



CHISUM



MARTINE FISCHER



On the part of the House
BITTER

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2374

A BILL TO BE ENTITLED

AN ACT

relating to financial assistance by the Texas Water Development Board for the connection of residences in economically distressed areas to public water supply and sanitary sewer systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter K, Chapter 17, Water Code, is amended by adding Section 17.9225 to read as follows:

Sec. 17.9225. RESIDENTIAL WATER AND SEWER CONNECTION

ASSISTANCE. (a) The legislature finds that, due to public health and sanitation concerns, it is in the public interest to use funds in the economically distressed areas account to provide financial assistance for the costs associated with the initial connection to public water supply and sanitary sewer systems of residences that otherwise benefit from financial assistance.

(b) A political subdivision may use financial assistance to pay:

(1) the costs of connecting a residence to a public water supply system constructed with financial assistance;

(2) the costs of installing yard water service connections;

(3) the costs of installing indoor plumbing facilities and fixtures;

(4) the costs of connecting a residence to a sanitary sewer system constructed with financial assistance;

1 (5) necessary connection and permit fees; and

2 (6) necessary costs related to the design of plumbing
3 improvements described by this subsection.

4 (c) Assistance under this section shall only be provided to
5 residents who demonstrate an inability to pay for the improvements
6 described in Subsection (b) in accordance with board rules. If the
7 board determines that a resident to whom assistance has been
8 provided is ineligible to receive the assistance, the board may
9 seek reimbursement from the resident. The board shall adopt rules
10 to implement the provisions of this section.

11 SECTION 2. This Act takes effect September 1, 2009.

House Bill 2374
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Adds Section *17.923*, Subchapter K, Chapter 17, Water Code, Residential *Plumbing Assistance*

(a) Among the public purpose served by this subchapter, makes a legislative declaration that it is in the public interest to protect public health and sanitation by providing financial assistance for the costs associated with *first-time* connection of public water supply and sanitary sewer *services to* residences otherwise benefiting from financial assistance under this subchapter.

(b) Authorizes a political subdivision to use *money* from financial assistance *under this subchapter* to pay the costs specified below.

(1) costs to connect a residence to a *water distribution system constructed under this subchapter*.

(2) costs to provide yard service connections.

No equivalent provision.

(3) costs of connecting a residence to a *sewer collection system constructed under this subchapter*.

SENATE VERSION

SECTION 1. Adds Section *17.9225*, Subchapter K, Chapter 17, Water Code, Residential *Water and Sewer Connection Assistance*.

(a) Similar to House version, except states the legislative finding that it is in the public interest to use funds *in the economically distressed areas account* to provide financial assistance for the costs associated with the *initial* connection to public water supply and sanitary sewer *systems of* such residences.

(b) Same as House version, except removes specifications that financial assistance is from money and that the financial assistance is under this subchapter.

(1) Same as House version, except refers to a connection to a *public water supply system*.

(2) Same as House version, except clarifies that costs pertain to yard *water* service connections.

(3) Adds the costs of installing indoor plumbing facilities and fixtures.

(4) Same as House version, except refers to a *sanitary sewer system* constructed *with financial assistance*.

CONFERENCE

SECTION 1. Same as Senate version.

(a) Same as Senate version.

(b) Same as Senate version.

(1) Same as Senate version.

(2) Same as Senate version.

(3) Same as Senate version.

(4) Same as Senate version.

House Bill 2374
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

(4) necessary connection fees and permit fees.

(5) necessary costs of design related to plumbing improvements described in Subdivisions (1) through (4) of this subsection.

No equivalent provision.

(c) Authorizes a political subdivision to only use the money under Subsection (b) to provide financial assistance to a United States citizen.

SECTION 2. This Act takes effect September 1, 2009.

SENATE VERSION

(5) Substantially the same as House version.

(6) Same as House version, except replaces the specific reference to *Subdivisions (1) through (4)* with a reference to *this subsection*.

(c) Requires assistance under this section to only be provided to residents who demonstrate an inability to pay for the improvements described in Subsection (b) in accordance with board rules and requires the board to adopt rules to implement Section 17.9225.

No equivalent provision.

Same as House version.

CONFERENCE

(5) Same as Senate version.

(6) Same as Senate version.

(c) Similar to Senate version, except adds that if the board determines that a recipient of assistance is ineligible, the board may seek reimbursement.

Same as Senate version.

Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2374** by Guillen (Relating to financial assistance by the Texas Water Development Board for the connection of residences in economically distressed areas to public water supply and sanitary sewer systems.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 17, Subchapter K of the Water Code to authorize the Texas Water Development Board (TWDB) to use funds in the Economically Distressed Areas Account to provide financial assistance to a political subdivision to pay certain costs related to water and wastewater connections and plumbing improvements in economically distressed areas. Financial assistance could be provided only to residents who demonstrate an inability to pay for the improvements described in the bill in accordance with rules that TWDB would be required to adopt. The bill would take effect September 1, 2009.

Based on analysis by TWDB, which administers funds from the Economically Distressed Areas Account, it is assumed any costs associated with adopting rules and adding to the list of uses for which funds may be distributed from the account could be absorbed within existing resources. In addition, this analysis assumes that the amount of funds available in the account would remain the same. Making the same amount of funds available for current and additional uses could result in there being more grants sought than there are funds available for each request. However, because the Office of Rural Community Affairs (ORCA) administers a separate fund for similar purposes, those funds could have more availability if the Economically Distressed Areas Account were to address some of the needs that would otherwise be addressed through the account administered through ORCA.

Local Government Impact

Local governments that qualify for funding from the Economically Distressed Areas Account could benefit to the extent funding is available to meet the needs for which the funds are available. According to information provided by the Texas Commission on Environmental Quality, costs of water and wastewater connections can range from \$1,500 to \$3,000 per household.

Source Agencies: 357 Office of Rural Community Affairs, 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: JOB, SD, CL, TP, DB

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 2374 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

Jan Guillen
(name)

5/30/09
(date)