

AN ACT

relating to flood planning, mitigation, and infrastructure projects.

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

ARTICLE 1. FLOOD CONTROL PLANNING

SECTION 1.01. The heading to Section 15.405, Water Code, is amended to read as follows:

Sec. 15.405. FLOOD CONTROL PLANNING CONTRACTS.

SECTION 1.02. Section 15.405, Water Code, is amended by amending Subsections (a), (f), and (g) and adding Subsection (a-1) to read as follows:

(a) In this section, "flood control planning" means any work related to:

- (1) planning for flood protection;
- (2) preparing applications for and obtaining regulatory approvals at the local, state, or federal level;
- (3) activities associated with administrative or legal proceedings by regulatory agencies; and
- (4) preparing engineering plans and specifications to provide structural or nonstructural flood mitigation and drainage.

(a-1) The board may enter into contracts with political subdivisions to pay from the research and planning fund all or part of the cost of [~~developing~~] flood control planning [~~plans~~] for the political subdivision.

1 (f) The board shall adopt rules establishing criteria of
2 eligibility for flood control planning money that considers:

3 (1) the relative need of the political subdivision for
4 the money, giving greater importance to a county that has a median
5 household income that is not greater than 85 percent of the median
6 state household income;

7 (2) the legal authority of the political subdivision
8 to plan for and control flooding; and

9 (3) the effect of flood control planning by the
10 political subdivision on overall flood control in the state and
11 within the area in which the political subdivision is located.

12 (g) The board shall require that flood control planning
13 documents [~~plans~~] developed under contracts entered into under this
14 section be made available to the commission.

15 ARTICLE 2. FLOOD INFRASTRUCTURE FUND

16 SECTION 2.01. Chapter 15, Water Code, is amended by adding
17 Subchapter I to read as follows:

18 SUBCHAPTER I. FLOOD INFRASTRUCTURE FUND

19 Sec. 15.531. DEFINITIONS. In this subchapter:

20 (1) "Eligible political subdivision" means a district
21 or authority created under Section 52, Article III, or Section 59,
22 Article XVI, Texas Constitution, a municipality, or a county.

23 (2) "Flood project" means a drainage, flood
24 mitigation, or flood control project, including:

25 (A) planning and design activities;

26 (B) work to obtain regulatory approval to provide
27 nonstructural and structural flood mitigation and drainage;

1 (C) construction of structural flood mitigation
2 and drainage infrastructure; and

3 (D) construction and implementation of
4 nonstructural projects, including projects that use nature-based
5 features to protect, mitigate, or reduce flood risk.

6 (3) "Infrastructure fund" means the flood
7 infrastructure fund.

8 (4) "Metropolitan statistical area" means an area so
9 designated by the United States Office of Management and Budget.

10 Sec. 15.532. FINDINGS. The legislature finds that:

11 (1) the creation of the infrastructure fund and the
12 administration of the fund by the board will encourage the
13 development of nonstructural and structural flood mitigation in the
14 state;

15 (2) the use of the infrastructure fund is in
16 furtherance of the public purpose of mitigating the effects of
17 flooding in the state; and

18 (3) the use of the infrastructure fund for the
19 purposes provided by this subchapter is for the benefit of both the
20 state and the political subdivisions to which the board makes
21 financial assistance available in accordance with this subchapter
22 and constitutes a program under Sections 49-d-3 and 52-a, Article
23 III, Texas Constitution.

24 Sec. 15.533. FLOOD INFRASTRUCTURE FUND. (a) The flood
25 infrastructure fund is a special fund in the state treasury outside
26 the general revenue fund.

27 (b) The infrastructure fund may be used by the board,

1 without further legislative appropriation, only as provided by this
2 subchapter.

3 (c) The infrastructure fund consists of:

4 (1) appropriations from the legislature for a purpose
5 of the infrastructure fund;

6 (2) proceeds of general obligation bonds issued for a
7 purpose of the infrastructure fund;

8 (3) any fees or other sources of revenue that the
9 legislature dedicates for deposit to the infrastructure fund;

10 (4) repayments of loans made from the infrastructure
11 fund;

12 (5) interest earned on money credited to the
13 infrastructure fund;

14 (6) depository interest allocable to the
15 infrastructure fund;

16 (7) money from gifts, grants, or donations to the
17 infrastructure fund; and

18 (8) money from revenue bonds or other sources
19 designated by the board for deposit to the infrastructure fund.

20 Sec. 15.534. USE OF INFRASTRUCTURE FUND. (a) The board
21 may use the infrastructure fund only:

22 (1) to make a loan to an eligible political
23 subdivision at or below market interest rates for a flood project;

24 (2) to make a grant or loan at or below market interest
25 rates to an eligible political subdivision for a flood project to
26 serve an area outside of a metropolitan statistical area in order to
27 ensure that the flood project is implemented;

1 (3) to make a loan at or below market interest rates
2 for planning and design costs, permitting costs, and other costs
3 associated with state or federal regulatory activities with respect
4 to a flood project;

5 (4) to make a grant to an eligible political
6 subdivision to provide matching funds to enable the eligible
7 political subdivision to participate in a federal program for a
8 flood project;

9 (5) to make a grant to an eligible political
10 subdivision for a flood project if the board determines that the
11 eligible political subdivision does not have the ability to repay a
12 loan;

13 (6) as a source of revenue or security for the payment
14 of principal and interest on bonds issued by the board if the
15 proceeds of the sale of the bonds will be deposited in the
16 infrastructure fund;

17 (7) to pay the necessary and reasonable expenses of
18 the board in administering the infrastructure fund; and

19 (8) to make transfers to the research and planning
20 fund created under Section [15.402](#) of this chapter.

21 (b) Principal and interest payments on loans made under
22 Subsection (a)(3) may be deferred for not more than 10 years or
23 until construction of the flood project is completed, whichever is
24 earlier.

25 Sec. 15.535. APPLICATION REQUIREMENTS. (a) Except as
26 provided by Subsection (c), an eligible political subdivision
27 applying for financial assistance under this subchapter for a

1 proposed flood project must demonstrate in the application that:

2 (1) the eligible political subdivision has acted
3 cooperatively with other political subdivisions to address flood
4 control needs in the area in which the eligible political
5 subdivisions are located;

6 (2) all eligible political subdivisions substantially
7 affected by the proposed flood project have participated in the
8 process of developing the proposed flood project;

9 (3) the eligible political subdivisions, separately
10 or in cooperation, have held public meetings to accept comment on
11 proposed flood projects from interested parties; and

12 (4) the technical requirements for the proposed flood
13 project have been completed and compared against any other
14 potential flood projects in the same area.

15 (b) The application must include an analysis of whether the
16 proposed flood project could use floodwater capture techniques for
17 water supply purposes, including floodwater harvesting, detention
18 or retention basins, or other methods of capturing storm flow or
19 unappropriated flood flow.

20 (c) An eligible political subdivision applying for
21 assistance under Section 15.534(a)(3) is not required to make the
22 demonstration described by Subsection (a)(4) of this section.

23 Sec. 15.536. APPROVAL OF APPLICATIONS. On review and
24 recommendation by the executive administrator, the board may
25 approve an application only if the board finds that:

26 (1) the application and the assistance applied for
27 meet the requirements of this subchapter and board rules;

1 (2) the application demonstrates a sufficient level of
2 cooperation among eligible political subdivisions and includes all
3 of the eligible political subdivisions substantially affected by
4 the flood project; and

5 (3) the taxes or other revenue, or both the taxes and
6 other revenue, pledged by the applicant will be sufficient to meet
7 all the obligations assumed by the eligible political subdivision.

8 Sec. 15.537. RULES. The board shall adopt rules necessary
9 to carry out this subchapter, including rules:

10 (1) that establish procedures for an application for
11 and for the award of financial assistance;

12 (2) for the investment of money; and

13 (3) for the administration of the infrastructure fund.

14 Sec. 15.538. INFORMATION CLEARINGHOUSE. The board shall
15 act as a clearinghouse for information about state and federal
16 flood planning, mitigation, and control programs that may serve as
17 a source of funding for flood projects.

18 Sec. 15.539. LIABILITY. Participation in cooperative flood
19 planning to obtain money under this subchapter does not subject the
20 state or an eligible political subdivision to civil liability in
21 regard to a flood project.

22 Sec. 15.540. ADVISORY COMMITTEE. (a) In this section,
23 "advisory committee" means the State Water Implementation Fund for
24 Texas Advisory Committee described by Section [15.438](#).

25 (b) The advisory committee shall:

26 (1) review the overall operation, function, and
27 structure of the infrastructure fund at least semiannually and may

1 provide comments and recommendations to the board on any matter;
2 and

3 (2) make recommendations to the board regarding
4 information on the infrastructure fund to be posted on the board's
5 Internet website.

6 (c) The advisory committee may:

7 (1) submit comments and recommendations to the board
8 regarding the use of money in the infrastructure fund and for use by
9 the board in adopting rules; and

10 (2) adopt rules, procedures, and policies as needed to
11 administer this section and implement its responsibilities.

12 SECTION 2.02. Subchapter H, Chapter 49, Water Code, is
13 amended by adding Section 49.239 to read as follows:

14 Sec. 49.239. COOPERATIVE FLOOD CONTROL. A district,
15 including a river authority, may participate in cooperative flood
16 control planning for the purpose of obtaining financial assistance
17 as an eligible political subdivision for a flood control project
18 under Subchapter I, Chapter 15.

19 SECTION 2.03. Contingent on legislation of the 86th
20 Legislature, Regular Session, 2019, that requires the creation of a
21 state flood plan passing and becoming law, on the date that the
22 Texas Water Development Board adopts the initial state flood plan
23 in accordance with that law:

24 (1) Section 15.534, Water Code, as added by this Act,
25 expires; and

26 (2) Subchapter I, Chapter 15, Water Code, is amended
27 by adding Section 15.5341 to read as follows:

1 Sec. 15.5341. USE OF INFRASTRUCTURE FUND. (a) The board
2 may use the infrastructure fund only to provide financing for flood
3 projects included in the state flood plan.

4 (b) Money from the infrastructure fund may be awarded to
5 several eligible political subdivisions for a single flood project.

6 ARTICLE 3. TEXAS INFRASTRUCTURE RESILIENCY FUND

7 SECTION 3.01. Chapter 16, Water Code, is amended by adding
8 Subchapter L to read as follows:

9 SUBCHAPTER L. FLOOD PROJECT FUNDING

10 Sec. 16.451. DEFINITIONS. In this subchapter:

11 (1) "Advisory committee" means the Texas
12 Infrastructure Resiliency Fund Advisory Committee.

13 (2) "Eligible political subdivision" means a district
14 or authority created under Section 52, Article III, or Section 59,
15 Article XVI, Texas Constitution, a municipality, or a county.

16 (3) "Flood project" means a drainage, flood
17 mitigation, or flood control project, including:

18 (A) planning and design activities;

19 (B) work to obtain regulatory approval to provide
20 structural and nonstructural flood mitigation and drainage;

21 (C) construction of structural flood mitigation
22 and drainage infrastructure;

23 (D) nonstructural or natural flood control
24 strategies; and

25 (E) a federally authorized project to deepen a
26 ship channel affected by a flooding event.

27 (4) "Resiliency fund" means the Texas infrastructure

1 resiliency fund.

2 Sec. 16.452. TEXAS INFRASTRUCTURE RESILIENCY FUND.

3 (a) The Texas infrastructure resiliency fund is a special fund in
4 the state treasury outside the general revenue fund.

5 (b) The resiliency fund shall be administered by the board
6 in accordance with this subchapter.

7 (c) The board may invest, reinvest, and direct the
8 investment of any available money in the resiliency fund as
9 provided by law for the investment of public funds.

10 (d) Investment earnings, interest earned on amounts
11 credited to the resiliency fund, and interest earned on loans made
12 from the fund shall be deposited to the credit of the fund.

13 Sec. 16.453. FLOODPLAIN MANAGEMENT ACCOUNT. (a) The
14 floodplain management account is an account of the resiliency fund.

15 (b) The account consists of:

16 (1) money deposited to the credit of the account under
17 Section 251.004, Insurance Code;

18 (2) money directly appropriated to the board; and

19 (3) money from gifts or grants from the United States
20 government, local or regional governments, private sources, or
21 other sources.

22 (c) The board may use the account to provide financing for
23 activities related to:

24 (1) the collection and analysis of flood-related
25 information;

26 (2) flood planning, protection, mitigation, or
27 adaptation;

1 (3) the provision of flood-related information to the
2 public through educational or outreach programs; or

3 (4) evaluating the response to and mitigation of flood
4 incidents affecting residential property, including multifamily
5 units, located in floodplains.

6 Sec. 16.454. HURRICANE HARVEY ACCOUNT. (a) The Hurricane
7 Harvey account is an account in the resiliency fund.

8 (b) The board may use the account only to provide moneys to
9 the Texas Division of Emergency Management for the division to
10 provide financing for projects related to Hurricane Harvey.
11 Financing under this section includes making a:

12 (1) grant to an eligible political subdivision to
13 provide nonfederal matching funds to enable the subdivision to
14 participate in a federal program for the participation in or
15 development of:

16 (A) a hazard mitigation project, under
17 guidelines issued by the Federal Emergency Management Agency or the
18 Texas Division of Emergency Management or the successor in function
19 to those entities;

20 (B) a public assistance project, under
21 guidelines issued by the Federal Emergency Management Agency or the
22 Texas Division of Emergency Management or the successor in function
23 to those entities; or

24 (C) assistance under guidelines issued by the
25 Natural Resources Conservation Service, the United States Economic
26 Development Administration, or the United States Department of
27 Housing and Urban Development, or the successor in function to

1 those entities; and

2 (2) loan to an eligible political subdivision at or
3 below market interest rates for the political subdivision's
4 planning or design costs, permitting costs, construction costs, or
5 other costs associated with state or federal regulatory activities
6 with respect to a flood project.

7 (c) A grant or loan awarded under this section may not
8 provide more than 75 percent of the portion of the cost of the
9 project that is paid with money other than money from a federal
10 program.

11 (d) In collaboration with the Texas Division of Emergency
12 Management, the board shall establish a point system for
13 prioritizing flood projects other than public assistance grants for
14 which money from the Hurricane Harvey account is sought. The system
15 must include a standard for the board to apply in determining
16 whether a flood project qualifies for funding at the time the
17 application for funding is filed with the board.

18 (e) The Texas Division of Emergency Management shall give
19 the highest consideration in awarding points to a flood project
20 that will have a substantial effect, including a flood project
21 that:

22 (1) is recommended or approved by the director of the
23 Texas Division of Emergency Management or the successor in function
24 to that entity; and

25 (2) meets an emergency need in a county where the
26 governor has declared a state of disaster.

27 (f) After review and recommendation by the executive

1 administrator and with input from the director of the Texas
2 Division of Emergency Management or the successor in function to
3 that entity, the Texas Division of Emergency Management may approve
4 an application for financial assistance under this section only if
5 the Texas Division of Emergency Management finds that:

6 (1) the application and assistance applied for meet
7 the requirements of this subchapter and Texas Division of Emergency
8 Management rules;

9 (2) the application demonstrates a sufficient level of
10 cooperation among applicable political subdivisions and includes
11 all of the political subdivisions substantially affected by the
12 flood project; and

13 (3) the taxes or other revenue, or both the taxes and
14 other revenue, pledged by the applicant, if applicable, will be
15 sufficient to meet all the obligations assumed by the applicant.

16 (g) Principal and interest payments on loans made under
17 Subsection (b)(2) may be deferred for not more than 10 years or
18 until construction of the flood project is completed, whichever is
19 the shorter period.

20 (h) Money from the account may be awarded to several
21 eligible political subdivisions for a single flood project.

22 (i) An eligible political subdivision that receives a grant
23 for a flood project also may receive a loan from the account.

24 (j) This section expires September 1, 2031. The remaining
25 balance of the account on that date is transferred to the flood plan
26 implementation account.

27 Sec. 16.455. FEDERAL MATCHING ACCOUNT. (a) The federal

1 matching account is an account in the resiliency fund.

2 (b) The board may use the account only to meet matching
3 requirements for projects funded partially by federal money,
4 including projects funded by the United States Army Corps of
5 Engineers.

6 (c) The board may use the account to make a loan to an
7 eligible political subdivision below market interest rates and
8 under flexible repayment terms, including a line of credit or loan
9 obligation with early prepayment terms, to provide financing for
10 the local share of a federally authorized ship channel improvement
11 project.

12 Sec. 16.456. TEXAS INFRASTRUCTURE RESILIENCY FUND ADVISORY
13 COMMITTEE. (a) The Texas Infrastructure Resiliency Fund Advisory
14 Committee is composed of the seven members that serve on the State
15 Water Implementation Fund for Texas Advisory Committee described by
16 Section 15.438, with the co-presiding officers of that committee
17 serving as presiding officers of the advisory committee. The
18 director of the Texas Division of Emergency Management or the
19 successor in function to that entity serves as a nonvoting member of
20 the advisory committee, as an additional duty of the director's
21 office.

22 (b) The advisory committee may hold public hearings, formal
23 meetings, or work sessions. Either co-presiding officer of the
24 advisory committee may call a public hearing, formal meeting, or
25 work session of the advisory committee at any time. The advisory
26 committee may not take formal action at a public hearing, formal
27 meeting, or work session unless a quorum of the committee is

1 present.

2 (c) Except as otherwise provided by this subsection, a
3 member of the advisory committee is not entitled to receive
4 compensation for service on the committee or reimbursement for
5 expenses incurred in the performance of official duties as a member
6 of the committee. Service on the advisory committee by a member of
7 the senate or house of representatives is considered legislative
8 service for which the member is entitled to reimbursement and other
9 benefits in the same manner and to the same extent as for other
10 legislative service.

11 (d) The advisory committee may submit comments and
12 recommendations to the board regarding the use of money in the
13 resiliency fund and for use by the board in adopting rules.

14 (e) The advisory committee shall review the overall
15 operation, function, and structure of the resiliency fund at least
16 semiannually and may provide comments and recommendations to the
17 board on any matter.

18 (f) The advisory committee may adopt rules, procedures, and
19 policies as needed to administer this section and implement its
20 responsibilities.

21 (g) The advisory committee shall make recommendations to
22 the board regarding information on the resiliency fund to be posted
23 on the board's Internet website.

24 (h) The advisory committee may evaluate and may provide
25 comments or recommendations on the feasibility of the state owning,
26 constructing, operating, and maintaining flood projects, including
27 reservoirs and coastal barriers.

1 (i) The board shall provide an annual report to the advisory
2 committee on:

3 (1) the board's compliance with statewide annual goals
4 relating to historically underutilized businesses; and

5 (2) the participation level of historically
6 underutilized businesses in flood projects that receive money from
7 the resiliency fund.

8 (j) If the aggregate level of participation by historically
9 underutilized businesses in flood projects that receive money from
10 the resiliency fund does not meet statewide annual goals adopted
11 under Chapter 2161, Government Code, the advisory committee shall
12 make recommendations to the board to improve the participation
13 level.

14 (k) The board shall supply staff support to the advisory
15 committee.

16 (l) Chapter 2110, Government Code, does not apply to the
17 size, composition, or duration of the advisory committee.

18 Sec. 16.457. REPORT REQUIRED. (a) In this section, "state
19 agency" means:

20 (1) a department, commission, board, office, or other
21 agency in the executive branch of state government created by the
22 state constitution or a state statute; and

23 (2) a general academic teaching institution as defined
24 by Section 61.003, Education Code.

25 (b) A state agency that uses or disburses federal money for
26 flood research, planning, or mitigation projects shall submit a
27 report to the board on a quarterly basis.

1 (c) The report must include the following information about
2 federal money used or disbursed for flood research, planning, or
3 mitigation projects:

4 (1) the original total of federal money received;

5 (2) the amount of the federal money spent or disbursed
6 to date; and

7 (3) the eligibility requirements for receiving the
8 federal money.

9 Sec. 16.458. APPLICABLE LAW. Subchapter E, Chapter 17,
10 applies to financial assistance made available from the resiliency
11 fund, except that the board may execute contracts as necessary to
12 evidence grant agreements.

13 Sec. 16.459. TRANSPARENCY REQUIREMENTS. The board shall
14 post the following information on the board's Internet website
15 regarding the use of the resiliency fund and regularly update the
16 information posted:

17 (1) the progress made in developing flood projects
18 statewide;

19 (2) a description of each flood project that receives
20 money from the resiliency fund, including:

21 (A) the expected date of completion of the flood
22 project;

23 (B) the current status of the flood project;

24 (C) the proposed benefit of the flood project;

25 (D) the initial total cost estimate of the flood
26 project and variances to the initial cost estimate exceeding five
27 percent;

1 (E) a listing of the eligible political
2 subdivisions receiving money from the resiliency fund;

3 (F) a listing of each political subdivision
4 served by each flood project;

5 (G) an estimate of matching funds that will be
6 available for the flood project resulting from the use of the
7 resiliency fund; and

8 (H) the status of repayment of each loan provided
9 in connection with a flood project, including an assessment of the
10 risk of default based on a standard risk rating system;

11 (3) a description of the point system for prioritizing
12 flood projects and the number of points awarded by the board for
13 each flood project;

14 (4) any nonconfidential information submitted to the
15 board as part of an application for funding under this subchapter
16 that is approved by the board;

17 (5) the administrative and operating expenses
18 incurred by the board in administering the resiliency fund; and

19 (6) any other information required by board rule.

20 Sec. 16.460. RULES. The board shall adopt rules necessary
21 to carry out this subchapter, including rules:

22 (1) that establish procedures for an application for
23 and for the award of financial assistance;

24 (2) that establish the prioritization system for flood
25 projects that receive money from the resiliency fund;

26 (3) for the repayment of a loan from the resiliency
27 fund; and

1 (4) for the administration of the resiliency fund.

2 SECTION 3.02. Section 251.004(b), Insurance Code, is
3 amended to read as follows:

4 (b) Each state fiscal year, the comptroller shall
5 reallocate to the floodplain management account established under
6 Section 16.453 [~~16.3161~~], Water Code, the first \$3.05 million of
7 the maintenance taxes collected under Chapter 252 and deposited in
8 the general revenue fund.

9 SECTION 3.03. Section 16.3161, Water Code, is repealed.

10 SECTION 3.04. On the effective date of this Act, the
11 Floodplain Management Account No. 0330 is transferred to the Texas
12 infrastructure resiliency fund as an account of that fund and the
13 balance of the Floodplain Management Account No. 0330 is
14 transferred to the floodplain management account of the Texas
15 infrastructure resiliency fund.

16 SECTION 3.05. (a) Not later than the 90th day after the
17 effective date of this Act, the Texas Infrastructure Resiliency
18 Fund Advisory Committee shall submit recommendations to the Texas
19 Water Development Board on the rules to be adopted by the board
20 under Section 16.460, Water Code, as added by this Act.

21 (b) Not later than the 90th day after the date the Texas
22 Water Development Board receives the recommendations described by
23 Subsection (a) of this section, the board shall adopt rules under
24 Section 16.460, Water Code, as added by this Act.

25 SECTION 3.06. Contingent on legislation of the 86th
26 Legislature, Regular Session, 2019, that requires the creation of a
27 state flood plan passing and becoming law, on the date that the

1 Texas Water Development Board adopts the initial state flood plan
2 in accordance with that law, Subchapter L, Chapter 16, Water Code,
3 as added by this Act, is amended by adding Section 16.4545 to read
4 as follows:

5 Sec. 16.4545. FLOOD PLAN IMPLEMENTATION ACCOUNT. (a) The
6 flood plan implementation account is an account in the resiliency
7 fund.

8 (b) The board may use the account only to provide financing
9 for projects included in the state flood plan.

10 (c) Money from the account may be awarded to several
11 eligible political subdivisions for a single flood project.

12 ARTICLE 4. REVENUE BONDS

13 SECTION 4.01. Section 17.852(5), Water Code, is amended to
14 read as follows:

15 (5) "Project" includes water supply projects,
16 treatment works, and flood [~~control~~] projects, as defined by
17 Section 15.531 or 16.451.

18 SECTION 4.02. Section 17.853(c), Water Code, is amended to
19 read as follows:

20 (c) The board may use the fund only:

21 (1) to provide state matching funds for federal funds
22 provided to the state water pollution control revolving fund or to
23 any additional state revolving fund created under Subchapter J,
24 Chapter 15;

25 (2) to provide financial assistance from the proceeds
26 of taxable bond issues to water supply corporations organized under
27 Chapter 67, and other participants;

1 (3) to provide financial assistance to participants
2 for the construction of water supply projects and treatment works;

3 (4) to provide financial assistance for an interim
4 construction period to participants for projects for which the
5 board will provide long-term financing through the water
6 development fund;

7 (5) to provide financial assistance for water supply
8 and sewer service projects in economically distressed areas as
9 provided by Subchapter K, Chapter 17, to the extent the board can
10 make that assistance without adversely affecting the current or
11 future integrity of the fund or of any other financial assistance
12 program of the board;

13 (6) to provide funds to the water infrastructure fund
14 created under Section 15.973; ~~and~~

15 (7) to provide funds to the state water implementation
16 revenue fund for Texas;

17 (8) to provide funds to the flood infrastructure fund
18 created under Section 15.533; and

19 (9) to provide funds to the Texas infrastructure
20 resiliency fund created under Section 16.452.

21 ARTICLE 5. EFFECTIVE DATE

22 SECTION 5.01. (a) Except as provided by Subsection (b) of
23 this section, this Act takes effect immediately if it receives a
24 vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2019.

1 (b) Article 2 of this Act takes effect January 1, 2020, but
2 only if the constitutional amendment proposed by the 86th
3 Legislature, Regular Session, 2019, authorizing the legislature to
4 provide for the creation of the flood infrastructure fund to assist
5 in the financing of drainage, flood mitigation, and flood control
6 projects is approved by the voters. If that amendment is not
7 approved by the voters, Article 2 has no effect.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 7 passed the Senate on March 20, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 7 passed the House, with amendments, on May 16, 2019, by the following vote: Yeas 143, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor