

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Parks and Wildlife Department regarding the Texas Water Trust.

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

SECTION 1. Subchapter A, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.028 to read as follows:

Sec. 12.028. POWERS AND DUTIES REGARDING TEXAS WATER TRUST.

(a) In this section, "Texas Water Trust" means the trust established under Section 15.7031, Water Code.

(b) Consistent with Section 11.0235(b), Water Code, and the department's duties and responsibilities, the department shall encourage and facilitate the dedication of water rights in the Texas Water Trust through lease, donation, purchase, or other means of voluntary transfer for environmental needs, including for the purpose of maintaining or improving:

- (1) instream flows;
- (2) water quality;
- (3) fish and wildlife habitat; and
- (4) bay and estuary inflows.

(c) The department may manage rights in the Texas Water Trust in a manner that is consistent with:

- (1) the manner in which a holder of the rights may manage the rights;
- (2) the dedication of the rights, including the

1 dedication's terms and conditions;

2 (3) Sections 11.0237, 11.027, and 11.122, Water Code;

3 and

4 (4) maximizing environmental benefits.

5 (d) This section may not be construed to authorize the
6 department to exercise any authority expressly granted to the Texas
7 Water Development Board or the Texas Commission on Environmental
8 Quality under Subchapter K, Chapter 15, Water Code.

9 SECTION 2. Section 15.7031, Water Code, is amended by
10 adding Subsection (e) to read as follows:

11 (e) The Parks and Wildlife Department may manage rights in
12 the trust:

13 (1) under a voluntary agreement with a rights holder;

14 and

15 (2) in the manner described by Section 12.028(c),
16 Parks and Wildlife Code.

17 SECTION 3. This Act takes effect September 1, 2021.