

1-1 By: Murr (Senate Sponsor - Flores) H.B. No. 1688
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 19, 2023, reported favorably by
 1-5 the following vote: Yeas 9, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to water quality protection areas.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Section 26.551, Water Code, is amended by adding
 1-22 Subdivision (1-a) to read as follows:
 1-23 (1-a) "Coke Stevenson Scenic Riverway" means the South
 1-24 Llano River in Kimble County, located upstream of the river's
 1-25 confluence with the North Llano River at the city of Junction.
 1-26 SECTION 2. Section 26.552(b), Water Code, is amended to
 1-27 read as follows:
 1-28 (b) For the period of September 1, 2005, to September 1,
 1-29 2027 [~~2025~~], the commission shall apply this subchapter only as a
 1-30 pilot program in:
 1-31 (1) the John Graves Scenic Riverway; and
 1-32 (2) the Coke Stevenson Scenic Riverway.
 1-33 SECTION 3. Section 26.555, Water Code, is amended to read as
 1-34 follows:
 1-35 Sec. 26.555. INSPECTIONS OF AND SAMPLING OF WATER IN PILOT
 1-36 PROGRAM AREAS [~~JOHN GRAVES SCENIC RIVERWAY~~]. (a) To detect
 1-37 potential violations of this subchapter in the John Graves Scenic
 1-38 Riverway and the Coke Stevenson Scenic Riverway, the commission,
 1-39 the Brazos River Authority or the Lower Colorado River Authority,
 1-40 as appropriate, and the Parks and Wildlife Department shall
 1-41 coordinate efforts to conduct each calendar year:
 1-42 (1) visual inspections of the riverways [~~riverway~~];
 1-43 and
 1-44 (2) testing of water samples drawn from the Brazos
 1-45 River, the South Llano River, and their respective [~~its~~]
 1-46 tributaries [~~in the riverway~~].
 1-47 (b) The visual inspections and the drawing of water samples
 1-48 must be conducted at least once in a winter month and at least once
 1-49 in a summer month. The visual inspections must be conducted both
 1-50 from the surfaces [~~surface~~] of the John Graves Scenic Riverway and
 1-51 the Coke Stevenson Scenic Riverway and from an aircraft flying over
 1-52 the riverways [~~riverway~~].
 1-53 SECTION 4. Section 26.559, Water Code, is reenacted to read
 1-54 as follows:
 1-55 Sec. 26.559. RECLAMATION AND RESTORATION FUND ACCOUNT. (a)
 1-56 Penalties and other money received by the commission as a result of
 1-57 an enforcement action taken under this subchapter, and any gift or
 1-58 grant the commission receives for the purposes of this subchapter,
 1-59 shall be deposited into the reclamation and restoration fund
 1-60 account in the general revenue fund. Money in the account may be
 1-61 appropriated only to the commission for the reclamation and

2-1 restoration of the beds, bottoms, and banks of water bodies
2-2 affected by the unlawful discharges subject to this subchapter.

2-3 (b) At least 60 days before spending money from the
2-4 reclamation and restoration fund account, the commission shall
2-5 publish notice of its proposed plan and conduct a hearing for the
2-6 purpose of soliciting public comment, oral or written. The
2-7 commission shall fully consider all written and oral submissions on
2-8 the proposed plan.

2-9 (c) At least 30 days before the date of the public hearing,
2-10 the notice must be published in the Texas Register and in a
2-11 newspaper of general circulation in the county where the violation
2-12 resulting in the payment of the penalties or other money occurred.

2-13 (d) Interest and other income earned on money in the account
2-14 shall be credited to the account. The account is exempt from the
2-15 application of Section 403.095, Government Code.

2-16 SECTION 5. Section 26.562, Water Code, is amended to read as
2-17 follows:

2-18 Sec. 26.562. EXPIRATION. This subchapter expires
2-19 September 1, 2027 [~~2025~~].

2-20 SECTION 6. This Act takes effect September 1, 2023.

2-21 * * * * *