

By: Reynolds

H.B. No. 5044

A BILL TO BE ENTITLED

AN ACT

relating to requiring the Texas Commission on Environmental Quality to study and report about water rights that may be subject to cancellation for nonuse.

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

SECTION 1. Section 11.173, Water Code, is amended by adding Subsections (c) and (c-1) to read as follows:

(c) At least once every five years, the commission shall:

(1) analyze permits, certified filings, and certificates of adjudication under which all or part of the water authorized to be appropriated has not been put to beneficial use at any time during the immediately preceding 10-year period; and

(2) prepare and submit to the board, the Parks and Wildlife Department, and the Legislative Budget Board a written report that:

(A) identifies permits, certified filings, and certificates of adjudication analyzed under Subdivision (1) for which an exemption from cancellation is provided under Subsection (b);

(B) identifies permits, certified filings, and certificates of adjudication analyzed under Subdivision (1) that may be subject to cancellation under Subsection (a); and

(C) for each permit, filing, or certificate identified under Paragraph (B), specifies:

1 (i) the volume of water associated with the
2 permit, filing, or certificate;

3 (ii) whether an action for cancellation of
4 the permit, filing, or certificate has been initiated by the
5 commission; and

6 (iii) whether the water associated with the
7 permit, filing, or certification may be appropriate for dedication
8 to the Texas Water Trust established under Section [15.7031](#).

9 (c-1) The commission shall submit the initial report
10 required by Subsection (c) not later than December 31, 2026. This
11 subsection expires September 1, 2027.

12 SECTION 2. This Act takes effect September 1, 2025.