

By: Capelo

H.B. No. 3129

A BILL TO BE ENTITLED

AN ACT

1
2 relating to reductions in water releases to maintain beneficial
3 inflows to bays and estuaries.

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

5 SECTION 1. Subchapter D, Chapter 11, Water Code, is amended
6 by adding Section 11.1471 to read as follows:

7 Sec. 11.1471. REDUCTIONS IN WATER RELEASES FOR BENEFICIAL
8 INFLOWS. (a) In this section, a release of water includes a spill,
9 an inflow passage, an intentional release, and a return flow.

10 (b) If the commission includes in a permit to store, take,
11 or divert water a target amount of water that must be released from
12 a reservoir system each month to maintain beneficial inflows to an
13 affected bay and estuary system, the required target amount shall
14 be reduced as provided by this section.

15 (c) Each acre-foot of water released into the upper bay and
16 related upper estuary system shall be credited against two
17 acre-feet of water required to be released into the affected bay and
18 estuary system.

19 (d) In response to drought conditions, the commission shall
20 reduce the target amount of water that must be released by a
21 percentage equal to the proportionate decrease in average annual
22 rainfall over the preceding five years.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.