

## **BILL ANALYSIS**

C.S.H.B. 356  
By: Callegari  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During the 77th Texas Legislature in 2001, Senate Bill 312 (the sunset bill for the Texas Water Development Board (TWDB)) was passed and signed into law. A provision in S.B. 312 required the agency to specify, through a spending plan, water project priorities to be supported by state-funded programs. The plan, as envisioned by the Sunset Advisory Commission, would provide greater structure and oversight for the use of state-issued debt.

Since the passage of S.B. 312, the TWDB issued two capital spending plans, one in 2003 and the other in 2005. Much of the information in the capital spending plan duplicates information contained in other statutorily-required or agency-initiated reports, such as the FY 2006-2007 Legislative Appropriations Request (including specific agency-initiated performance measures), FY 2005-2009 TWDB Strategic Plan, 2003 Assessment of Water and Wastewater Facility Needs for EDAP Counties, 2002 State Water Plan (Water for Texas), and the 2002 Infrastructure Financing Report. The publication deadline for the capital spending plan also differs from other statutorily-required reports creating additional staff workload.

There is a benefit to identifying priorities and planning the necessary allocation of resources, but a separate, stand-alone report is inefficient. The TWDB voted unanimously on November 16, 2004 to ask the Legislature to repeal this provision.

The purpose of this bill is to repeal §6.110 of the water code, which requires the executive administrator of TWDB to develop and prepare a plan due to the Board, the Legislature and the LBB detailing the capital spending plans for several agency-administered programs. Repealing this provision of the Water Code will save staff time, publication costs, distribution costs, and other indirect costs associated with creation of this report.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 356 repeals Water Code, sec. 6.110, which requires TWDB to prepare a capital spending plan each biennium for several agency-administered programs. The bill specifies that it does not affect money in any fund administered by TWDB, including the agricultural water conservation fund.

### **EFFECTIVE DATE**

H.B. 356 takes effect immediately if it receives a 2/3rds vote in both chambers, otherwise it takes effect Sept. 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute amends the original version of the bill to specify that it does not affect any fund administered by TWDB, including the agricultural water conservation fund.