

BILL ANALYSIS

H.B. 2542
By: Puente
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law provides that all waters subject to interbasin transfer are junior in priority to all other waters within an originating basin. This provision may limit the options available to solve our state's water supply needs pursuant to contracts for the sale of water for a certain term.

HB 2542 would modify the Water Code to provide that interbasin transfers of water based on contractual sales no longer be considered junior to all other water rights in the basin.

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

SECTION 1 of the bill amends Section 11.085(n), Water Code, to provide that a transfer of water based on a contractual sale of water is not subject to subsection (s) or (t) (the junior rights provisions).

SECTION 2 makes application of this Act prospective.

SECTION 3 provides for immediate effect if the Act receives a vote of two-thirds of each House, otherwise September 1, 2005.

EFFECTIVE DATE

Immediate effect if the Act receives a vote of two-thirds of each House, otherwise September 1, 2005.