

BILL ANALYSIS

H.B. 2915
By: Puente
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Permitting requirements for interbasin transfers of water are codified in Section 11.085 of the Water Code, including specific provisions relating to protection of the basin of origin and the change in the priority date of the transferred water right to the date the permit was accepted for filing (the junior water rights provision). Section 11.085 also provides that a river basin may not be redesignated in order to allow a transfer or diversion of water otherwise in violation of the section.

HB 2915 provides that Section 11.085 does not prevent the Texas Water Development Board (TWDB) from redesignating a river basin based on scientific or hydrologic evidence TWDB finds supports the redesignation, whether or not the redesignation facilitates a transfer or diversion of water.

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(p) to provide that this section does not prevent the Texas Water Development Board (TWDB) from redesignating a river basin based on scientific or hydrologic evidence TWDB finds supports the redesignation, whether or not the redesignation facilitates a transfer or diversion of water.

SECTION 2 of the bill provides for immediate effect if the Act receives a two-thirds vote of members of both Houses, otherwise September 1, 2005.

EFFECTIVE DATE

Immediate effect if the Act receives a two-thirds vote of members of both Houses, otherwise September 1, 2005.