

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 1, 2005

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2898 by Oliveira (Relating to allocations involving excluded irrigation land in certain counties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would add Section 49.3141 to Subchapter J of the Texas Water Code. The new section to the Water Code would provide a mechanism for the reallocation of water use in counties that border the Gulf of Mexico and the United Mexican States or in counties adjacent to a county bordering the Gulf of Mexico and the United Mexican States.

Under the provisions of the bill, if a district in the affected counties excludes land from irrigation use, then a city or water supply corporation providing potable water to the excluded land may petition the district to convert the proportionate irrigation water right from irrigation to municipal use. The district would compute the proportionate amount of water right, but the affected city or water supply corporation would have the right to appeal the results of the district's computation.

The bill would provide that the district would have 30 days to petition the Texas Commission on Environmental Quality (TCEQ) for the change in water usage. The district and city or water supply corporation would be required to provide TCEQ with information specific to the conversion from irrigation to municipal use in a public hearing. Any charges for the use of municipal water must be just and reasonable. Such charges may be appealed to TCEQ.

The bill would take effect September 1, 2005.

The bill would require TCEQ to propose new rules, develop procedures, analyze petitions, and participate in hearings. The agency anticipates that it would be able to meet those requirements using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

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