

Amend CSSB 3 (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 2.____. Subchapter A, Chapter 46, Parks and Wildlife Code, is amended by adding Section 46.0046 to read as follows:

Sec. 46.0046. OPTIONAL FEE FOR BENEFIT OF TEXAS WATER TRUST. (a) A person to whom a license or tag is issued under this chapter may pay an optional fee for the benefit of the Texas Water Trust established by Section 15.7031, Water Code, at the time the person pays the fees required before the license or tag is issued.

(b) The minimum amount for the optional fee is \$5. A person may pay more than the minimum amount.

(c) The department shall adopt a form for the fee that provides:

(1) spaces for a person to indicate the amount of the optional fee the person desires to pay, with spaces for the amounts of \$5, \$10, or "other amount"; and

(2) a short explanation of the purpose of the optional fee.

(d) The optional fee shall be deposited in the general revenue fund to the credit of the water bank account.

SECTION 2.____. Section 15.703(a), Water Code, is amended to read as follows:

(a) The board may take all actions necessary to operate the water bank and to facilitate the transfer of water rights from the water bank for future beneficial use including but not limited to:

(1) negotiating a sale price and terms acceptable to the depositor and purchaser;

(2) maintaining a registry of water bank deposits and those water users in need of additional supplies;

(3) informing water users in need of additional supply of water rights available in the bank;

(4) encouraging water right holders to implement water conservation practices and deposit the right to use the conserved water into the bank;

(5) establishing requirements for deposit of a water

right into the water bank including minimum terms for deposit;

(6) purchasing, holding, and transferring water or water rights in its own name;

(7) establishing regional water banks;

(8) acting as a clearinghouse for water marketing information including water availability, pricing of water transactions, environmental considerations, and potential buyers and sellers of water rights;

(9) preparing and publishing a manual on structuring water transactions;

(10) accepting, acquiring, and holding donations of water rights to meet instream, water quality, fish and wildlife habitat, or bay and estuary inflow needs;

(11) entering into contracts with persons to pay for feasibility studies or the preparation of plans and specifications relating to water conservation efforts or to estimate the amount of water that would be saved through conservation efforts; and

(12) other actions to facilitate water transactions.

SECTION 2.____. Section 15.707, Water Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) The water bank account is created as a special account in the water assistance fund and is composed of:

(1) money appropriated to the board for the program;

(2) fees collected by the board under this subchapter;

(3) money transferred to the account from the water assistance fund in Section 15.011(c) of this code;

(4) grants, contracts, gifts, or other such funds that the board may receive relating to this subchapter;

(5) money received from the transfer of water or water rights held in the board's name in the bank;

(6) optional fishing license and tag fees donated under Section 46.0046, Parks and Wildlife Code; and

(7) [~~(6)~~] interest earned on the investment of money in the account.

(c) The optional fishing license and tag fees donated to the account may be used only to acquire water rights from willing

sellers to be held by the Texas Water Trust. In the event of a conflict between this section and an appropriations act, this section prevails.

(d) Section 403.095, Government Code, does not apply to the water bank account.