

## **BILL ANALYSIS**

C.S.H.B. 1502  
By: Frost  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Texas Water Development Board Regional Planning Guidelines and the Texas Water Code have laid out procedures which must be followed before an inter-basin transfer can occur when water regions do not agree. These procedures are put in place to ensure that each region of our state is protected from overreaching interests by another region and ensures each has a say in the management of future water needs of our state.

In the event of a conflict, the Water Code requires the Texas Water Development Board to facilitate coordination between regions to resolve the conflict. However, the code provides no guidance as to what constitutes a conflict. Some members of the board have recently interpreted the term to only cover conflict over the use of a water supply within a region. With this interpretation, a disagreement over the construction of a project desired by one region, but located in another region does not constitute a conflict.

C.S.H.B. 1502 would define "conflict" in the Water Code to ensure that disagreements between regions are accurately represented by the board.

### **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: Section 16.053(h) of the Water Code is amended by adding Subdivision (4-a).

Subdivision (4-a) states that an interregional conflict includes an inconsistency between the regional water plans proposed by two or more regional water planning groups regarding either the construction of a water project in a particular regional water planning area; or the use of a source of a water supply in a particular regional water planning area.

SECTION 2: Effective Date: September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.

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

C.S.H.B. 1502 adds Subdivision (4-a) and removes Subdivision (6). C.S.H.B. 1502 also removes Section 2 and renumbers sections accordingly