

By: Paxton

H.B. No. 2299

A BILL TO BE ENTITLED

AN ACT

relating to equipment used for irrigation systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 5, Water Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. STANDARDS FOR IRRIGATION SYSTEM EQUIPMENT

Sec. 5.901. DEFINITIONS. In this subchapter:

(1) "Evapotranspiration" means the loss of water to evaporation and plant transpiration.

(2) "Evapotranspiration-based irrigation control" means an automatic irrigation control product that uses evapotranspiration data to make seasonal adjustments to irrigation schedules to conserve water by applying irrigation only in an amount necessary to sustain the healthy growth of plants in the landscaped area.

(3) "Irrigation runoff" means surface runoff of water generated when the irrigation application rate exceeds the soil infiltration rate and moisture saturation level.

(4) "Irrigation schedule" means the frequency with which irrigation occurs.

(5) "Irrigation system" has the meaning assigned by Section 1903.001, Occupations Code.

(6) "On-site evapotranspiration" means a calculation of evapotranspiration made from climatic and other data collected

1 at the irrigation site.

2 (7) "Remote evapotranspiration" means a calculation
3 of evapotranspiration made from climatic and other data collected
4 remotely from the irrigation site.

5 (8) "Runoff control" means a manner of controlling or
6 preventing irrigation runoff.

7 Sec. 5.902. MINIMUM STANDARDS GOVERNING CERTAIN IRRIGATION
8 SYSTEM EQUIPMENT. (a) This section applies only to an irrigation
9 system owned by this state or a political subdivision of this state.

10 (b) Except as provided by Subsection (c), the commission
11 shall require a new or existing irrigation system to have an on-site
12 evapotranspiration controller.

13 (c) The commission shall authorize a new or existing
14 irrigation system to have a remote evapotranspiration controller if
15 the system:

16 (1) receives evapotranspiration data from a remote
17 weather station located not more than five miles from the
18 irrigation site; and

19 (2) includes an independent local rain and freeze
20 shut-off device.

21 (d) This section does not apply to a new or existing
22 irrigation system that distributes and conserves water in an area
23 of not more than:

24 (1) 0.1 acres; or

25 (2) 0.2 acres if the irrigation system distributes
26 nonpotable water.

27 (e) Not later than January 1, 2008, this state and each

1 political subdivision of this state must comply with this section.

2 Sec. 5.903. MANDATORY IRRIGATION SYSTEM EQUIPMENT
3 ORDINANCE. (a) The commission shall require each political
4 subdivision of this state to adopt a local ordinance that requires
5 new irrigation systems to have evapotranspiration-based irrigation
6 control systems and irrigation schedules based on climatic
7 conditions, specific terrains and soil types, and other
8 environmental conditions. The ordinance must include:

9 (1) a requirement that an irrigation system located in
10 the political subdivision have an on-site evapotranspiration
11 controller with:

12 (A) an independent rain and freeze shut-off
13 device;

14 (B) technology to control irrigation runoff
15 based on the amount of water necessary to sustain the landscaped
16 area; and

17 (C) an irrigation schedule controller that has
18 multiple cycle features to prevent irrigation runoff;

19 (2) references to local, state, and federal laws and
20 regulations regarding standards for water-conserving irrigation
21 equipment; and

22 (3) climate information for developing irrigation
23 schedules.

24 (b) A political subdivision of this state shall adopt an
25 ordinance as provided by Subsection (a) not later than January 1,
26 2009. If a political subdivision does not adopt an ordinance by
27 that date, the commission shall impose the requirements of this

1 section on new irrigation systems installed in the political
2 subdivision.

3 Sec. 5.904. CERTAIN IRRIGATION SYSTEM EQUIPMENT REQUIRED.
4 After January 1, 2011, an irrigation system may not be sold or
5 installed in this state unless the irrigation system has an on-site
6 evapotranspiration controller.

7 SECTION 2. Section 1903.053, Occupations Code, is amended
8 by adding Subsections (d) and (e) to read as follows:

9 (d) Except as provided by Subsection (e), after January 1,
10 2008, any installation of a new irrigation system or repair or
11 alteration of an existing system must meet the standard for on-site
12 evapotranspiration capabilities prescribed by Section 5.902(b),
13 Water Code.

14 (e) This section applies to the repair or alteration of an
15 existing irrigation system only if:

16 (1) the repair or alteration requires the replacement
17 of the controller; or

18 (2) the irrigation system supplies water to a
19 landscaped area for which the water usage is to be increased by more
20 than 20 percent.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2007.