

By: Duncan

S.B. No. 790

A BILL TO BE ENTITLED

AN ACT

relating to amendments to regional water plans.

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

SECTION 1. Section 16.053(h), Water Code, is amended by adding Subdivisions (10) and (11) to read as follows:

(10) The regional water planning group may amend the regional water plan after the plan has been approved by the board. Subdivisions (1)-(9) apply to an amendment to the plan in the same manner as those subdivisions apply to the plan.

(11) This subdivision applies only to an amendment to a regional water plan approved by the board. This subdivision does not apply to the adoption of a subsequent regional water plan for submission to the board as required by Subsection (i). Notwithstanding Subdivision (10), the regional water planning group may amend the plan in the manner provided by this subdivision if the executive administrator determines that the amendment qualifies for adoption in the manner provided by this subdivision before the regional water planning group votes on adoption of the amendment. An amendment qualifies for adoption in the manner provided by this subdivision only if the amendment will not result in the overallocation of any existing or planned source of water, does not relate to a new reservoir, and will not have a significant effect on instream flows or freshwater inflows to bays and estuaries. If the executive administrator determines that an

1 amendment qualifies for adoption in the manner provided by this  
2 subdivision, the regional water planning group may adopt the  
3 amendment at a public meeting held in accordance with Chapter 551,  
4 Government Code. The amendment must be placed on the agenda for the  
5 meeting, and notice of the meeting must be given in the manner  
6 provided by Chapter 551, Government Code, at least two weeks before  
7 the date the meeting is held. The public must be provided an  
8 opportunity to comment on the amendment at the meeting.

9       SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2007.