

BILL ANALYSIS

H.B. 2053
By: Hilderbran
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Water Rights Permit No. 5394A is held by the Upper Guadalupe River Authority (UGRA). It was granted on April 10, 1998, by the Texas Natural Resource Conservation Commission, predecessor to the Texas Commission on Environmental Quality. The permit authorizes UGRA to divert up to 2,000 acre-feet of water per annum from the Guadalupe River for municipal use. The permit contains a number of conditions regarding the diversion of water for water conservation, protection of other water rights holders, and environmental flows. H.B. 2053 would not impact or alter any of these provisions and clarifies UGRA's authority to utilize the water supply authorized for diversion under the permit for the benefit of residents of Kerr County.

H.B. 2053 authorizes UGRA to contract to provide any Kerr County entity, or to otherwise use in Kerr County, water for municipal use. The bill establishes that it supersedes any conflicting provisions of the permit that would not authorize UGRA to utilize the water supply for such purposes, specifically Special Condition No. 5D.i of the permit, which authorizes the water supply to be contracted for municipal uses by Kerr County entities other than the City of Kerrville.

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

H.B. 2053 amends Chapter 642, Acts of the 80th Legislature, Regular Session, 2007, to authorize the Upper Guadalupe River Authority to contract to provide any Kerr County entity, and to otherwise use in Kerr County, water for municipal use under Permit No. 5394A, which was issued to the Upper Guadalupe River Authority by the Texas Natural Resource Conservation Commission, the predecessor agency to the Texas Commission on Environmental Quality. The bill establishes that its provisions supersede Permit No. 5394A, and specifically Special Condition No. 5D.i of the permit, to the extent of any conflict.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.