

BILL ANALYSIS

H.B. 2666
By: Ritter
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Lower Neches Valley Authority (the "district") acquired all of the property and canal system of the Devers Rice Producers Association, Inc. and their leinholders in consideration for the district's commitments to integrate the Devers Canal System into the district's Canal System, supply additional water to the Devers Canal System, and treat the Devers farmers the same as customers on the district's Canal System. Devers owns property in Chambers, Liberty and Jefferson Counties, and the district has jurisdiction over all of Jefferson County and portions of Chambers and Liberty County.

H.B. 2666 confirms the right of the district to own operate and expand the Devers Canal System in Chambers and Liberty County while at the same time protecting the interests of the Chambers-Liberty Counties Navigation District in the same language as approved by the Legislature in 1969 when the Legislature approved the acquisition of Devers by the Trinity River Authority.

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. Amends Chapter 63, Acts of the 43rd Legislature, 1st Called Session, 1993, by adding Section 13C as follows:

Subsection (a) defines "Canal system" and "Commission".

Subsection (b) allows the district to acquire, own, operate, maintain, and improve the canal system; and enlarge and extend the system in Chambers, Liberty and Jefferson Counties.

Subsection (c) allows the district to own, appropriate, and divert the water rights under the permits and contracts previously owned by and acquired from the Devers Canal Company, the Trinity River Authority on behalf of the Devers Canal System, and the Devers Canal Rice Producers Association, Inc.

Subsection (d) allows the district to distribute, sell, and use water of this state for any purpose approved by the commission, except as provided by subsection (e).

Subsection (e) provides that the district may not sell water for irrigation use in Chambers County to customers served by Chambers-Liberty Counties Navigation District under a certified filing, permit, or certificate of adjudication held by the navigation district and issued by the commission without the approval of the navigation district.

SECTION 2. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.