

## **BILL ANALYSIS**

S.B. 2283  
By: Lucio  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In light of existing drought conditions and future water projects, interest and need to tap into new water supply sources and enhance overall water system reliability by allowing for a reasonable degree of excess capacity is greater than ever.

This legislation addresses the state participation account of the water development fund. Currently, under existing Chapter 16 (Provisions Generally Applicable to Water Development), Water Code, there is no legal provision allowing the Texas Water Development Board to acquire an interest in an existing system or facility that is not being constructed or reconstructed.

S.B. 2283 amends current law relating to use of the state participation account of the water development fund.

### **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 Section 16.131, Water Code, to authorize the Texas Water Development Board ("TWDB") to use the state participation account of the development fund to acquire water rights or existing public water systems to encourage optimum regional development of desalination projects. Makes nonsubstantive changes.

SECTION 2. Amends Section 16.135, Water Code, to require TWDB, before the board is authorized to acquire a facility or interest in a facility, to find affirmatively that, if appropriate, the facility to be acquired encourages optimum regional development of a desalination project.

SECTION 3. Provides the effective date of this Act

### **EFFECTIVE DATE**

This Act takes effect September 1, 2009.