

By: Williams

S.B. No. 913

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the Lower Neches Valley Authority to  
3 acquire, own, operate, maintain, and improve the Devers Canal  
4 System, its water rights, and associated property.

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

6 SECTION 1. Chapter 63, Acts of the 43rd Legislature, 1st  
7 Called Session, 1933, is amended by adding Section 13C to read as  
8 follows:

9 Sec. 13C. (a) In this section:

10 (1) "Canal system" means the canal system and  
11 associated properties generally known as the Devers Canal System.

12 (2) "Commission" means the Texas Commission on  
13 Environmental Quality.

14 (b) The district may:

15 (1) acquire, own, operate, maintain, and improve the  
16 canal system; and

17 (2) enlarge and extend the canal system in Chambers,  
18 Liberty, and Jefferson Counties.

19 (c) The district may own the water rights and appropriate  
20 and divert water of this state under the permits and contracts  
21 previously owned by and acquired from the Devers Canal Company, the  
22 Trinity River Authority on behalf of the Devers Canal System, and  
23 the Devers Canal Rice Producers Association, Inc.

24 (d) Except as provided by Subsection (e) of this section,

1 the district may distribute, sell, and use water of this state for  
2 any purpose approved by the commission.

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

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, 2009.