

1-1 By: Hinojosa, Lucio S.B. No. 1292
1-2 (In the Senate - Filed March 3, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 1, 2009, reported favorably by the following vote: Yeas 8,
1-5 Nays 0; April 1, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the calculation of current market value of certain
1-9 water rights by the Rio Grande Regional Water Authority.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 49.509, Water Code, is amended by
1-12 amending Subsection (a) and adding Subsection (d) to read as
1-13 follows:

1-14 (a) Subject to Subsection (d), the [The] Rio Grande Regional
1-15 Water Authority annually at its January meeting shall calculate the
1-16 current market value by using the average price per acre-foot of
1-17 municipal use water after conversion from irrigation use water to
1-18 municipal use water with a municipal priority of allocation under
1-19 commission rules of the last three purchases involving:

1-20 (1) a municipal water supplier;

1-21 (2) a party other than a municipal water supplier; and

1-22 (3) at least 100 acre-feet of municipal use water,
1-23 with municipal priority of allocation.

1-24 (d) The Rio Grande Regional Water Authority shall exclude
1-25 from the calculation of current market value under Subsection (a)
1-26 any sale between a municipal water supplier and a district if any
1-27 part of the district's territory is subject to the municipal water
1-28 supplier's certificate of convenience and necessity.

1-29 SECTION 2. The change in law made by this Act applies only
1-30 to a calculation of current market value of certain water rights
1-31 made by the Rio Grande Regional Water Authority on or after the
1-32 effective date of this Act. A calculation of current market value
1-33 that is made before the effective date of this Act is governed by
1-34 the law in effect when the calculation was made, and the former law
1-35 continues in effect for that purpose.

1-36 SECTION 3. This Act takes effect September 1, 2009.

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