

BILL ANALYSIS

Senate Research Center

H.B. 2133
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is currently in one of the greatest and most oppressive droughts on record, to the extent that, during the worst part of the drought, nearly all of the state was classified as under extreme or exceptional drought. Many Texans believe that desalination, the process by which most of the salt and other minerals are removed from salty and brackish water, is a viable solution to addressing Texas's water needs. Desalination has a proven history in Texas and several desalination facilities across Texas are producing millions of gallons of water per day. Water reuse also has become a viable option for nonpotable uses throughout the nation, and the 2012 State Water Plan, adopted by the Texas Water Development Board, recommends obtaining new water supplies through the water reuse strategy.

H.B. 2133 seeks to raise the profile of innovative and alternative water treatment technologies, particularly desalination and reuse, and to expand the limited view of water resources into larger interests that will fulfill the water needs of Texas. It does so by listing these two options among the policy strategies endorsed by the state.

H.B. 2133 amends current law relating to state policies and the evaluation of practices regarding water development and conservation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.003, Water Code, as follows:

Sec. 1.003. PUBLIC POLICY. Provides that it is the public policy of the state to provide for the conservation and development of the state's natural resources, including:

- (1)-(6) Makes no change to these subdivisions;
- (7)-(8) Makes nonsubstantive changes;
- (9) the facilitation of the efficient and effective use of innovative and alternative water treatment technologies whenever possible to meet the natural resource needs of this state; and
- (10) the promotion of direct reuse of reclaimed water for nonpotable purposes whenever possible to enhance and preserve the state's freshwater supply.

SECTION 2. Amends Section 10.010, Water Code, as follows:

Sec. 10.010. POWERS AND DUTIES OF COUNCIL. (a) Creates this subsection from existing text. Requires the Water Conservation Advisory Council (council) to:

- (1) Makes no change to this subdivision;

(2) monitor and evaluate new technologies for possible inclusion by the Texas Water Development Board as best management practices in the best management practices guide developed by the water conservation implementation task force under Chapter 109, Acts of the 78th Legislature, Regular Session, 2003; and

(3)-(7) Makes no change to these subdivisions.

(b) Requires that new technologies evaluated for possible inclusion in the best management practices guide under Subsection (a)(2) include technologies associated with agricultural and landscaping irrigation, plumbing retrofits, and hydraulic shock-prevention systems.

SECTION 3. Amends Section 10.011, Water Code, as follows:

Sec. 10.011. REPORT. Requires the council, not later than December 1 of each even-numbered year, to submit to the governor, lieutenant governor, and speaker of the house of representatives a report on progress made in water conservation in this state. Requires that the report include specific statutory, budgetary, and policy recommendations to improve water conservation and management.

SECTION 4. Effective date: September 1, 2013.