

BILL ANALYSIS

S.B. 662
By: Carona
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

One of the most crucial issues Texas faces is the availability of water. The 76th Legislature, Regular Session, 1999, passed H.B. 2660, establishing a statewide Drought Preparedness Council (DPC) to coordinate the drought-response portion of the state water plan. DPC, led by the Texas Division of Emergency Management, consists of representatives appointed by the administrative head of various agencies, such as the Texas Department of Agriculture, the Texas Department of Transportation, and the Texas Parks and Wildlife Department.

In 2011, Texas experienced the worst one-year drought on record. One issue that was brought to the forefront as a result of this drought was the use of water for mining energy resources and producing power, as many fuel sources that are used to produce electricity require water for steam production as well as for cooling thermal units. While power-generating facilities like coal, natural gas, and nuclear power plants only account for three percent of the state's water use, as much as 38 percent of the state's capacity for this form of electric generation could be threatened by water shortages under serious drought conditions. Because of drought's impact on electric generating capacity, it is in the state's interest to have a representative from the Public Utility Commission (PUC) and the Electric Reliability Council of Texas (ERCOT) on the DPC.

S.B. 662 adds a representative from PUC and a representative from ERCOT to the DPC.

As proposed, S.B. 662 amends current law relating to the composition of the drought preparedness council.

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 16.055(b), Water Code, as follows:

(b) Provides that the drought preparedness council is created and required to meet as necessary to carry out the provisions of this section. Provides that the council is composed of one representative from each of certain entities appointed by the administrative head of that entity, including the Public Utility Commission of Texas and the independent organization certified under Section 39.151 (Essential Organization), Utilities Code, for the ERCOT power region. Makes nonsubstantive changes.

SECTION 2. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect on September 1, 2013.