

By: Miller of Fort Bend

H.B. No. 3073

A BILL TO BE ENTITLED

AN ACT

relating to the operation, powers, and duties of certain levee improvement districts.

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

SECTION 1. Section 11.038, Water Code, is amended by amending Subsection (a) to read as follows:

(a) A person who owns or holds a possessory interest in land adjoining or contiguous to a canal, ditch, flume, lateral, dam, reservoir, or lake constructed and maintained under the provisions of this chapter and who has secured a right to the use of water in the canal, ditch, flume, lateral, dam, reservoir, or lake is entitled to be supplied form the canal, ditch, flume, lateral, dam, reservoir, or lake with water for agricultural uses, mining, milling, manufacturing, development of power, and stock raising, in accordance with the terms of the person's contract; provided that a Levee Improvement District created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution, which owns or holds a possessory interest in land adjoining or contiguous to a canal, ditch, flume, lateral, dam, reservoir, or lake constructed and maintained under the provisions of this chapter, is deemed to have secured a right to use the state water in the canal, ditch, flume, lateral, dam, reservoir, or lake for the purpose of irrigation of any levee owned or maintained by such district for the purpose of preventing the compromise of the

1 structural integrity of such levee due to desiccation cracking or
2 other damage resulting from insufficient rainfall or drought.

3 SECTION 2. This Act takes effect immediately if this Act
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution;
6 otherwise, this Act takes effect September 1, 2013.