

By: Estes

S.B. No. 1212

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the applicability of certain provisions concerning the
3 transfer of exotic species to certain transfers of water that
4 supply populous areas.

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

6 SECTION 1. Section 66.007, Parks and Wildlife Code, is
7 amended by adding Subsection (m) to read as follows:

8 (m) A water transfer described by this subsection, without
9 evidence of the introduction of an exotic fish or shellfish, is not
10 a violation of this section. The department may not require a
11 permit under this section for a water transfer described by this
12 subsection. This subsection applies to a water transfer by a
13 district or authority created under Section 59, Article XVI, Texas
14 Constitution, that:

15 (1) is initially conveyed by a water intake structure
16 that is:

17 (A) shared by at least two districts or
18 authorities; and

19 (B) located on a reservoir situated on the
20 boundary of this state and another state;

21 (2) uses a closed conveyance system approved by the
22 United States Army Corps of Engineers in accordance with an
23 invasive species management plan approved by the United States Army
24 Corps of Engineers; and

- 1 (3) contributes to a water supply that serves at least
2 1.5 million people, all of whom reside in an area that:
3 (A) borders another state;
4 (B) contains at least 10 contiguous counties;
5 (C) contains at least one county with a
6 population of more than one million; and
7 (D) is adjacent to a county with a population of
8 more than one million.

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, 2013.