

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 13, 2013

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2720** by Ritter (Relating to the applicability of the law governing emergency authorizations by the Texas Commission on Environmental Quality for the use of state water to certain emergency orders concerning water rights issued by the executive director of the commission.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would provide authority to the Texas Commission on Environmental Quality (TCEQ) in Water Code, 11.053 to temporarily adjust the diversions of water by water rights holders to address an imminent hazard to the health, safety, or welfare of the public. The bill would also provide that emergency interbasin water transfers authorized in Water Code, 11.139 cannot be granted until a method for calculating and remitting compensation due has been agreed to by the petitioner for the emergency order and the water right holder or its agent or lessee from whom the use is to be transferred.

The TCEQ reports that passage of the bill would limit the agency's ability to respond to senior calls for water rights holders in a flexible manner if adjustments can be made only if there is an imminent hazard to public health. However, the bill is not expected to result in significant additional workload to the TCEQ.

Local Government Impact

The TCEQ reports that local or other governmental entities filing applications for emergency temporary transfers of water under Water Code, 11.139 could be required to pay compensation for the transfer. The cost would depend on the amount of water transferred and the amount the water right holder would charge.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, SZ, TL