

By: Phillips

H.B. No. 1919

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of certain provisions concerning
invasive species.

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

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

(n) A water transfer described by this subsection is not a
violation of this section. The department may not require a permit
under this section for a water transfer described by this
subsection. This subsection applies to a water transfer that meets
the following criteria:

(1) the transfer is through a water supply system,
including a related water conveyance, storage, or distribution
facility;

(2) the transfer is undertaken by a utility owned by a
political subdivision, including a water district or municipality;
and

(3) the transfer is described by one or more of the
following:

(A) a transfer from a water body in which there is
no known exotic harmful or potentially harmful fish or shellfish
population;

(B) a transfer of water into a water body in which
there is a known exotic harmful or potentially harmful fish or

1 shellfish population;

2 (C) a transfer of water directly to a water
3 treatment facility;

4 (D) a transfer of water that has been treated
5 prior to the transfer into a water body; or

6 (E) a transfer of water from a reservoir or
7 through a dam to address flood control or to meet water supply
8 requirements or environmental flow purposes.

9 SECTION 2. Section 66.0072, Parks and Wildlife Code, is
10 amended by adding Subsection (g) to read as follows:

11 (g) A water transfer described by this subsection is not a
12 violation of this section. The department may not require a permit
13 under this section for a water transfer described by this
14 subsection. This subsection applies to a water transfer that meets
15 the following criteria:

16 (1) the transfer is through a water supply system,
17 including a related water conveyance, storage, or distribution
18 facility;

19 (2) the transfer is undertaken by a utility owned by a
20 political subdivision, including a water district or municipality;
21 and

22 (3) the transfer is described by one or more of the
23 following:

24 (A) a transfer from a water body in which there is
25 no known exotic harmful or potentially harmful aquatic plant
26 population;

27 (B) a transfer of water into a water body in which

1 there is a known exotic harmful or potentially harmful aquatic
2 plant population;

3 (C) a transfer of water directly to a water
4 treatment facility;

5 (D) a transfer of water that has been treated
6 prior to the transfer into a water body; or

7 (E) a transfer of water from a reservoir or
8 through a dam to address flood control or to meet water supply
9 requirements or environmental flow purposes.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2015.