

By: Frank

H.B. No. 2805

Substitute the following for H.B. No. 2805:

By: Larson

C.S.H.B. No. 2805

A BILL TO BE ENTITLED

AN ACT

relating to the priority applicable to certain interbasin transfers
of water.

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

SECTION 1. Section 11.085(s), Water Code, is amended to
read as follows:

(s) Any proposed transfer of all or a portion of a water
right under this section is junior in priority to water rights
granted before the time application for transfer is accepted for
filing. This subsection does not apply to a transfer of water
between the following entities:

(1) a water control and improvement district that:

(A) has boundaries that are coextensive with the
boundaries of a municipality with a population of more than
700,000; and

(B) is located in a river basin with a population
of more than six million; and

(2) a municipality that:

(A) has a population of more than 100,000; and

(B) is located in:

(i) the basin of a river that:

(a) forms a boundary between this
state and another state; and

(b) does not flow into the Gulf of

1 Mexico at a point located in this state; and

2 (ii) a county that is included in an
3 emergency disaster proclamation issued by the governor.

4 SECTION 2. (a) This Act applies only to an application for
5 a water right or an amendment to a permit, certified filing, or
6 certificate of adjudication authorizing an interbasin transfer of
7 water that is accepted for filing on or after the effective date of
8 this Act.

9 (b) An application for a water right or an amendment to a
10 permit, certified filing, or certificate of adjudication
11 authorizing an interbasin transfer of water that is accepted for
12 filing before the effective date of this Act is governed by the law
13 in effect at the time the application is accepted for filing, and
14 the former law is continued in effect for that purpose.

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