

By: Larson

H.B. No. 3324

Substitute the following for H.B. No. 3324:

By: Kacal

C.S.H.B. No. 3324

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the requirements for obtaining an interbasin water
3 transfer permit.

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

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

7 (v) The provisions of this section, except Subsection (a),
8 do not apply to:

9 (1) a proposed transfer which in combination with any
10 existing transfers totals less than 3,000 acre-feet of water per
11 annum from the same permit, certified filing, or certificate of
12 adjudication;

13 (2) a request for an emergency transfer of water;

14 (3) a proposed transfer from a basin to its adjoining
15 coastal basin;

16 (4) a proposed transfer from the part of the
17 geographic area of a county or municipality, or the part of the
18 retail service area of a retail public utility as defined by Section
19 13.002, that is within the basin of origin for use in that part of
20 the geographic area of the county or municipality, or that
21 contiguous part of the retail service area of the utility, not
22 within the basin of origin; ~~or~~

23 (5) a proposed transfer of water that is:

24 (A) imported from a source located wholly outside

1 the boundaries of this state, except water that is imported from a
2 source located in the United Mexican States;

3 (B) for use in this state; and

4 (C) transported by using the bed and banks of any
5 flowing natural stream located in this state;

6 (6) a proposed transfer of water based on a
7 substitution or exchange of an equal or greater quantity of
8 reclaimed or desalinated water that is first made available in the
9 basin of origin on or after September 1, 2015, provided that the
10 proposed transfer would not result in a net loss of water supply
11 available for use in the basin of origin; or

12 (7) a proposed return of reclaimed water or return
13 flow from the basin of discharge to the basin of origin.

14 SECTION 2. (a) This Act applies only to an application for
15 a water right or an amendment to a permit, certified filing, or
16 certificate of adjudication authorizing an interbasin transfer of
17 water that is accepted for filing on or after the effective date of
18 this Act.

19 (b) An application for a water right or an amendment to a
20 permit, certified filing, or certificate of adjudication
21 authorizing an interbasin transfer of water that is accepted for
22 filing before the effective date of this Act is governed by the law
23 in effect at the time the application is accepted for filing, and
24 the former law is continued in effect for that purpose.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2015.