

By: Hinojosa

S.B. No. 329

A BILL TO BE ENTITLED

AN ACT

relating to state and local planning for and responses to drought.

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

SECTION 1. Section 10.010, Water Code, is amended to read as follows:

Sec. 10.010. POWERS AND DUTIES OF COUNCIL. (a) The council shall:

(1) monitor trends in water conservation implementation;

(2) monitor new water conservation technologies for possible inclusion by the board as best management practices in the best management practices guide described by Section 16.0552 [~~developed by the water conservation implementation task force under Chapter 109, Acts of the 78th Legislature, Regular Session, 2003~~];

(3) monitor the effectiveness of the statewide water conservation public awareness program developed under Section 16.401 and associated local involvement in implementation of the program;

(4) develop and implement a state water management resource library;

(5) develop and implement a public recognition program for water conservation;

(6) monitor the implementation of water conservation

1 strategies by water users included in regional water plans; and

2 (7) monitor target and goal guidelines for water
3 conservation to be considered by the board and commission.

4 (b) To assist with drought preparedness and response, the
5 council shall:

6 (1) monitor and develop strategies for responding to
7 drought;

8 (2) monitor new drought response technologies for
9 possible inclusion by the board as best management practices in the
10 best management practices guide described by Section 16.0552; and

11 (3) recommend methodologies for conducting drought
12 contingency plan evaluations described by Section 11.1272(g).

13 SECTION 2. Section 11.1272, Water Code, is amended by
14 adding Subsections (f), (g), (h), and (i) to read as follows:

15 (f) At least once every five years, a wholesale or retail
16 public water supplier or irrigation district shall review and, as
17 necessary, update the supplier or district's drought contingency
18 plan and submit to the commission the reviewed or updated plan.

19 (g) A wholesale water supplier, a retail public water
20 supplier that provides potable water service to 3,300 or more
21 connections, or an irrigation district shall include in each
22 reviewed or updated drought contingency plan submitted to the
23 commission under Subsection (f) an evaluation of the effectiveness
24 of strategies in the plan that were implemented by the supplier or
25 district during any period of significant drought that occurred in
26 the preceding five years. The commission by rule shall define
27 "significant drought" for purposes of this subsection.

1 (h) A wholesale or retail public water supplier shall notify
2 the commission not later than the fifth business day after the date
3 the supplier implements, changes the manner of implementing, or
4 ceases to implement a mandatory provision of the supplier's drought
5 contingency plan. The commission by rule shall establish criteria
6 for determining the actions that must be reported under this
7 subsection.

8 (i) The commission shall maintain on its Internet website a
9 list of wholesale and retail public water suppliers that are
10 currently implementing a drought contingency plan that displays for
11 each supplier:

12 (1) the degree of drought severity in the county or
13 counties in which the service area of the supplier is located;

14 (2) whether the service area of the supplier is in a
15 county subject to a declaration under Section 418.014 or 418.108,
16 Government Code, of a state of disaster due to drought conditions;
17 and

18 (3) the drought response stage the supplier is
19 implementing.

20 SECTION 3. Subchapter C, Chapter 16, Water Code, is amended
21 by adding Section 16.0552 to read as follows:

22 Sec. 16.0552. BEST MANAGEMENT PRACTICES GUIDE. (a) In this
23 section, "best management practices" has the meaning assigned by
24 Section 11.002.

25 (b) The board, in coordination with the commission and the
26 Water Conservation Advisory Council, shall:

27 (1) regularly review and update the water conservation

1 best management practices guide developed by the water conservation
2 implementation task force under Chapter 109 (S.B. 1094), Acts of
3 the 78th Legislature, Regular Session, 2003; and

4 (2) include in the guide best management practices for
5 drought response.

6 (c) The board shall make the guide available on its Internet
7 website.

8 SECTION 4. As soon as practicable after the effective date
9 of this Act, the Texas Commission on Environmental Quality shall
10 adopt rules as necessary to implement Section [11.1272](#), Water Code,
11 as amended by this Act.

12 SECTION 5. This Act takes effect September 1, 2015.