

1-1 By: Fraser, Watson, Zaffirini S.B. No. 521
1-2 (In the Senate - Filed February 10, 2015; February 18, 2015,
1-3 read first time and referred to Committee on Agriculture, Water,
1-4 and Rural Affairs; April 1, 2015, reported favorably, as amended,
1-5 by the following vote: Yeas 7, Nays 0; April 1, 2015, sent to
1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Perry</u>	X		
1-10	<u>Zaffirini</u>	X		
1-11	<u>Creighton</u>	X		
1-12	<u>Hall</u>	X		
1-13	<u>Hinojosa</u>	X		
1-14	<u>Kolkhorst</u>	X		
1-15	<u>Rodríguez</u>	X		

1-16 COMMITTEE AMENDMENT NO. 1 By: Kolkhorst, Hall

1-17 Amend S.B. 521 (introduced version) as follows:
1-18 (1) In SECTION 1 of the bill, in amended Section 11.139(a),
1-19 Water Code (page 1, line 50), strike "two years [120 days]" and
1-20 substitute "270 days".
1-21 (2) In SECTION 1 of the bill, in amended Section 11.139(a),
1-22 Water Code (page 1, line 56), strike "The commission may renew an
1-23 [Such]" and substitute "Such".
1-24 (3) In SECTION 1 of the bill, in amended Section 11.139(a),
1-25 Water Code (page 1, lines 57-58), strike "authorization granted
1-26 under Subsection (a) [action may be renewed once]" and substitute
1-27 "action maybe renewed once".
1-28 (4) In SECTION 1 of the bill, in amended Section 11.139(a),
1-29 Water Code (page 1, line 58), strike "successive periods of".
1-30 (5) In SECTION 1 of the bill, in amended Section 11.139(a),
1-31 Water Code (page 1, lines 58-59), strike "one year each [60 days]"
1-32 and substitute "90 days".
1-33 (6) In SECTION 1 of the bill, in amended Section 11.139(a),
1-34 Water Code (page 1, line 59-page 2, line 1), strike the following:
1-35 "The commission may provide for automatic renewals of an
1-36 authorization for periods of not longer than one year each."

1-37 A BILL TO BE ENTITLED
1-38 AN ACT

1-39 relating to the period for which the Texas Commission on
1-40 Environmental Quality may grant or renew an emergency authorization
1-41 relating to the use of state water.
1-42 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-43 SECTION 1. Section 11.139, Water Code, is amended by
1-44 amending Subsection (a) and adding Subsection (a-1) to read as
1-45 follows:
1-46 (a) Except as provided by Section 11.148 [~~of this code~~], the
1-47 commission may grant an emergency permit, order, or amendment to an
1-48 existing permit, certified filing, or certificate of adjudication
1-49 after notice to the governor for an initial period of not more than
1-50 two years [120 days] if the commission finds that:
1-51 (1) emergency conditions exist which present an
1-52 imminent threat to the public health and safety and which override
1-53 the necessity to comply with established statutory procedures; and
1-54 (2) there are no feasible practicable alternatives to
1-55 the emergency authorization.
1-56 (a-1) The commission may renew an [Such] emergency
1-57 authorization granted under Subsection (a) [action may be renewed
1-58 once] for successive periods of not longer than one year each [60
1-59 days]. The commission may provide for automatic renewals of an

2-1 authorization for periods of not longer than one year each.

2-2 SECTION 2. (a) Except as provided by Subsection (b) of
2-3 this section, the change in law made by this Act applies only to an
2-4 application for an emergency authorization or renewal of an
2-5 emergency authorization that is submitted to the Texas Commission
2-6 on Environmental Quality on or after the effective date of this Act.
2-7 An application for an emergency authorization or renewal of an
2-8 emergency authorization that is submitted to the commission before
2-9 the effective date of this Act is governed by the law in effect
2-10 immediately before the effective date of this Act, and that law is
2-11 continued in effect for that purpose.

2-12 (b) If on or after the effective date of this Act a person
2-13 submits to the Texas Commission on Environmental Quality an
2-14 application for the renewal of an emergency authorization that was
2-15 granted by the commission before the effective date of this Act, the
2-16 commission may renew the emergency authorization once for a period
2-17 of not longer than one year.

2-18 SECTION 3. This Act takes effect immediately if it receives
2-19 a vote of two-thirds of all the members elected to each house, as
2-20 provided by Section 39, Article III, Texas Constitution. If this
2-21 Act does not receive the vote necessary for immediate effect, this
2-22 Act takes effect September 1, 2015.

2-23

* * * * *