

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

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.

# ADOPTED

MAY 20 2015

*Lately Spauld*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Craig E. Evers*

Amend H.B. No. 1919 (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 66.007(n)(3)(E), Parks and Wildlife Code (page 1, line 48), between "purposes" and the underlined period, insert ", provided that a person making a transfer of water described by this paragraph from a body of water in which there is a known exotic harmful or potentially harmful fish or shellfish population notifies the department annually in writing before the proposed transfer occurs".

(2) In SECTION 2 of the bill, in added Section 66.0072(g)(3)(E), Parks and Wildlife Code (page 2, line 15), between "purposes" and the underlined period, insert ", provided that a person making a transfer of water described by this paragraph from a body of water in which there is a known exotic harmful or potentially harmful fish or shellfish population notifies the department annually in writing before the proposed transfer occurs".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 20, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1919** by Phillips (Relating to the applicability of certain provisions concerning invasive species.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Parks and Wildlife Code to exempt certain water transfers undertaken by a political subdivision from certain regulations relating to importing, possessing, selling, or placing into public waters potentially harmful fish or shellfish.

Based on information provided by the Parks and Wildlife Department, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, MWI, SZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 8, 2015**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1919** by Phillips (Relating to the applicability of certain provisions concerning invasive species.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Parks and Wildlife Code to exempt certain water transfers undertaken by a political subdivision from certain regulations relating to importing, possessing, selling, or placing into public waters potentially harmful fish or shellfish.

Based on information provided by the Parks and Wildlife Department, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, MWI, SZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 23, 2015**

**TO:** Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1919** by Phillips (relating to the applicability of certain provisions concerning invasive species.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Parks and Wildlife Code to exempt certain water transfers undertaken by a political subdivision from certain regulations relating to importing, possessing, selling, or placing into public waters potentially harmful fish or shellfish.

Based on information provided by the Parks and Wildlife Department, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, MWI, SZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 23, 2015**

**TO:** Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1919** by Phillips (Relating to the applicability of certain provisions concerning invasive species.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Parks and Wildlife Code to exempt political subdivisions and municipally owned utilities from certain regulations relating to importing, possessing, selling, or placing into public waters potentially harmful fish or shellfish.

Based on information provided by the Parks and Wildlife Department, duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, SZ, MWI