

BILL ANALYSIS

H.B. 2240
By: Lucio III
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that many efforts to promote water conservation rely on the voluntary decisions and actions of water utilities and water rights holders. These parties contend that such a voluntary approach has created highly variable water conservation efforts across the state, which leaves the state vulnerable in the face of a major drought. H.B. 2240 seeks to address this issue by conditioning financial assistance provided under the Texas water assistance program on the recipient maintaining a water conservation program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Water Development Board in SECTIONS 1, 2, and 3 of this bill.

ANALYSIS

H.B. 2240 amends the Water Code to require financial assistance provided under the Texas water assistance program, provisions generally applicable to water development, and provisions relating to water development public funding to include conditions that require the recipient to have a water conservation program in place that includes enforceable time-of-day limitations on outdoor watering by its customers. The bill requires the Texas Water Development Board (TWDB) to adopt rules to implement the bill's provisions and requires the TWDB to provide guidance to recipients of financial assistance in developing and implementing programs that meet the bill's requirements and rules adopted to implement the bill's provisions. The bill authorizes the TWDB to waive the bill's requirements for financial assistance sought to meet an emergency need. The bill applies only to financial assistance provided for a municipal water supply project, in an amount that exceeds \$500,000, and to an entity that is a retail public utility and a public entity and that is not a political subdivision that is primarily a wholesale water provider or a nonprofit water supply corporation.

EFFECTIVE DATE

September 1, 2017.