

BILL ANALYSIS

C.S.H.B. 3717
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert there are various local programs around Texas that help encourage water conservation such as the use of water irrigation systems, planting water conserving grasses, and other efforts. C.S.H.B. 3717 seeks to encourage water conservation efforts by providing for proven water conserving products and best practices as part of certain current and potential landscape and irrigation incentive programs.

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 Department of Agriculture in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3717 amends the Agriculture Code to require the Department of Agriculture (TDA) to establish, maintain, and publish a list of publicly funded programs in Texas that encourage the replacement of a lawn with landscaping that requires less water to maintain than the existing lawn. The bill requires a governmental entity or retail public utility that operates a landscape incentive program that is wholly or partly funded with public money to register the program with the TDA for inclusion on the list. The bill requires the TDA, for the purpose of providing information for administrators of and participants in landscape incentive programs in Texas, to establish, maintain, and publish for each type of climate in Texas a list of types of grasses and other plants that the TDA determines can sustain healthy growth in that climate with minimal irrigation. The bill authorizes the TDA to adopt rules as necessary to implement these provisions.

C.S.H.B. 3717 authorizes a governmental entity or retail public utility that operates a landscape incentive program that is wholly or partly funded with public money, except as otherwise provided by other law, to provide as part of the program monetary incentives for the purchase and installation of irrigation or sprinkler controllers that make periodic adjustments to irrigation applications based on weather conditions, evapotranspiration rates, and soil moisture levels for the purpose of conserving water by applying irrigation only in an amount necessary to sustain the healthy growth of the irrigated plants, such as evapotranspiration-based controllers, smart irrigation controllers, smart sprinkler controllers, and weather-based irrigation controllers.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3717 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.