

BILL ANALYSIS

Senate Research Center
86R28847 JAM-D

C.S.H.B. 723
By: Larson (Perry)
Water & Rural Affairs
4/25/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Commission on Environmental Quality (TCEQ) is the agency responsible for creating and updating the state's water availability models (WAM). A WAM refers to a computer program which simulates the water available for water right holders in a specific river basin. WAMS are used to evaluate water availability, water supply viability, and future water supply, and to calculate water supply needed in the state water plan. There are a total of 20 WAMs over 23 river and coastal basins.

Texas has experienced several droughts since the year 2000 which means the WAMs must be updated to reflect the most accurate scientific data.

C.S.H.B. 723 would require TCEQ to develop and complete the WAMs for the Brazos, Neches, Red, and Rio Grande river basins by December 1, 2022. These are the next suggested river basins to map based on feedback from TCEQ and water entities.

C.S.H.B. 723 amends current law relating to a requirement that the Texas Commission on Environmental Quality obtain or develop updated water availability models for certain river basins.

Note: While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC) the provisions of this bill affect the Texas Commission on Environmental Quality as the successor agency to TNRCC.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 16.012, Water Code, by adding Subsection (h-1) to require the Texas Natural Resource Conservation Commission (TNRCC), not later than December 1, 2022, to obtain or develop updated water availability models for the Brazos River, Neches River, Red River, and Rio Grande river basins. Authorizes TNRCC to collect data from all jurisdictions that allocate the waters of the rivers, including jurisdictions outside this state. Provides that this subsection expires September 1, 2023.

SECTION 2. Provides that the Texas Commission on Environmental Quality (TCEQ) is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, TCEQ, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.

SECTION 3. Effective date: September 1, 2019.