

By: Paul

H.B. No. 1010

A BILL TO BE ENTITLED

AN ACT

relating to state and regional flood planning.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 16, Water Code, is amended by adding Sections 16.061 and 16.062 to read as follows:

Sec. 16.061. STATE FLOOD PLAN. (a) Not later than September 1, 2021, and before the end of each successive five-year period after that date, the board shall prepare and adopt a state flood plan that incorporates the regional flood plans approved under Section 16.062. The state flood plan must include a ranked list of ongoing and proposed flood control projects organized by watershed.

(b) The board shall adopt guidance principles for the state flood plan. The board shall review and revise the guidance principles as necessary and at least every fifth year to coincide with the five-year cycle for adoption of a new state flood plan.

(c) On adoption of a state flood plan, the board shall deliver the plan to the:

(1) governor;

(2) lieutenant governor;

(3) speaker of the house of representatives; and

(4) appropriate legislative committees and legislative leadership.

Sec. 16.062. REGIONAL FLOOD PLANNING. (a) The board shall:

1           (1) provide technical assistance to the flood planning  
2 groups;

3           (2) adopt guidance principles for the regional flood  
4 plans, including procedures for amending adopted plans; and

5           (3) designate flood planning regions corresponding to  
6 each watershed.

7           (b) The board shall designate representatives from each  
8 flood planning region to serve as the initial flood planning group.

9 The initial flood planning group may then designate additional  
10 representatives to serve on the flood planning group. The initial  
11 flood planning group shall designate additional representatives if  
12 necessary to ensure adequate representation from the interests in  
13 its region, including the general public, counties,  
14 municipalities, industries, agricultural interests, environmental  
15 interests, small businesses, electric generating utilities, river  
16 authorities, water districts, and water utilities. The flood  
17 planning group shall maintain adequate representation from those  
18 interests. In addition, the board, the Parks and Wildlife  
19 Department, the Department of Agriculture, and the State Soil and  
20 Water Conservation Board each shall appoint a representative to  
21 serve as a member of each flood planning group.

22           (c) A flood planning group shall:

23           (1) prepare a draft regional flood plan for its flood  
24 planning region; and

25           (2) hold public meetings in its flood planning region  
26 to gather from interested persons, including members of the public  
27 and other political subdivisions located in the flood planning

1 region, suggestions and recommendations in response to the draft  
2 regional flood plan.

3 (d) A flood planning group shall consider the information  
4 collected under Subsection (c)(2) in finalizing a regional flood  
5 plan.

6 (e) A regional flood plan must include a list of projects,  
7 including technical specifications, necessary to meet the flood  
8 planning needs of the flood planning region for the next 10 years.

9 (f) A flood planning group shall submit its completed  
10 regional flood plan to the board. The board shall make a  
11 determination whether the regional flood plan:

12 (1) satisfies the requirements for regional flood  
13 plans adopted in the guidance described by Subsection (a); and

14 (2) affects a neighboring flood planning area.

15 (g) If the board makes a determination that a regional flood  
16 plan negatively affects a neighboring flood planning area, the  
17 board must coordinate with the affected area to adjust the plan to  
18 ensure that no neighboring area is negatively affected by the plan.

19 (h) The board shall approve a regional flood plan when it:

20 (1) satisfies the requirements of Subsection (f)(1);

21 and

22 (2) does not negatively affect a neighboring flood  
23 planning area.

24 (i) A flood planning group may amend a regional flood plan  
25 after the plan has been approved by the board according to rules  
26 adopted by the board.

27 (j) Each flood planning group and committee or subcommittee

1 of a flood planning group is subject to Chapters 551 and 552,  
2 Government Code.

3 SECTION 2. (a) Not later than December 1, 2020, the Texas  
4 Water Development Board shall adopt guidance principles for the  
5 regional flood plans and designate flood planning regions  
6 corresponding to each watershed as required by Section 16.062,  
7 Water Code, as added by this Act.

8 (b) Not later than the 60th day after the date the Texas  
9 Water Development Board designates flood planning regions under  
10 Subsection (a) of this section, the board shall designate  
11 representatives within each flood planning region to serve as the  
12 initial flood planning group, as described by Section 16.062, Water  
13 Code, as added by this Act.

14 (c) Not later than September 1, 2021, each flood planning  
15 group shall submit a regional flood plan to the Texas Water  
16 Development Board for the group's flood planning area, as required  
17 by Section 16.062, Water Code, as added by this Act.

18 (d) Not later than September 1, 2022, the Texas Water  
19 Development Board shall approve a state flood plan, as required by  
20 Section 16.061, Water Code, as added by this Act.

21 SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2019.