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H.B. No. 1868

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of the Texas Rural Water Advisory Council.

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

4 SECTION 1. Title 3, Agriculture Code, is amended by adding  
5 Chapter 50D to read as follows:

6 CHAPTER 50D. TEXAS RURAL WATER ADVISORY COUNCIL

7 Sec. 50D.0101. DEFINITION. In this chapter, "council"  
8 means the Texas Rural Water Advisory Council.

9 Sec. 50D.0102. COMPOSITION. (a) The council is composed of  
10 15 members appointed as follows:

11 (1) the executive director or the executive director's  
12 designee of the following entities shall appoint a representative  
13 for that entity:

14 (A) the Parks and Wildlife Department;

15 (B) the Texas Commission on Environmental  
16 Quality;

17 (C) the Texas Department of Transportation; and

18 (D) the State Soil and Water Conservation Board;

19 (2) the commissioner of the Department of Agriculture  
20 shall appoint a representative of that agency from the Office of  
21 Water;

22 (3) the commissioner of the General Land Office shall  
23 appoint a representative of that agency;

24 (4) the lieutenant governor shall appoint three

1 members with each member to represent one of the following:

2 (A) a rural county;

3 (B) an irrigation district; and

4 (C) a statewide nonprofit organization that  
5 represents the interests of water supply corporations and other  
6 rural water utilities;

7 (5) the commissioner shall appoint three members with  
8 each member representing an interest or issue under consideration  
9 by the council and with the initial three members each representing  
10 one of the following:

11 (A) the interests of pesticide applicators;

12 (B) the interests of a statewide nonprofit  
13 organization focused on litter prevention, mitigation, and  
14 abatement; and

15 (C) the interests of agricultural users of  
16 groundwater; and

17 (6) the speaker of the house of representatives shall  
18 appoint three members with each member to represent one of the  
19 following:

20 (A) a rural municipality;

21 (B) a river authority; and

22 (C) a drainage district.

23 (b) The council shall elect a presiding officer from among  
24 its members.

25 (c) Members of the council serve staggered terms of two  
26 years, with either seven or eight members' terms, as applicable,  
27 expiring February 1 of each year.

1        (d) Chapter 2110, Government Code, does not apply to the  
2 size, composition, or duration of the council.

3        (e) Service on the council by a state officer or employee is  
4 an additional duty of the member's office or employment. Members of  
5 the council are not entitled to compensation or reimbursement of  
6 expenses.

7        (f) The council may accept gifts and grants from any source  
8 to be used to carry out a function of the council.

9        Sec. 50D.0103. DUTIES. On an ongoing basis, the council  
10 shall assist the department in assessing the existence of,  
11 effectiveness of, or need for rural water initiatives in this state  
12 regarding the prevention, mitigation, and abatement of windblown  
13 and waterborne litter and illegal dumping in rural communities,  
14 pesticide runoff from agricultural lands, rainwater harvesting,  
15 rural water use, and other topics as requested by the department by:

16            (1) identifying and evaluating best management  
17 practices for municipal, commercial, industrial, and agricultural  
18 properties as they relate to the water initiatives assessed by this  
19 section, including the feasibility, costs, and benefits of those  
20 practices; and

21            (2) evaluating:

22                    (A) the feasibility and implementation needs of  
23 best management practices in different regions of the state;

24                    (B) the jurisdiction and effectiveness of law  
25 enforcement;

26                    (C) the role of state funding for incentive  
27 programs; and

1                   (D) the appropriate state oversight and  
2 community support efforts.

3           Sec. 50D.0104. MEETINGS. The council shall meet at least  
4 twice each year and may meet at other times considered necessary by  
5 the commissioner.

6           Sec. 50D.0105. STAFF. The council is administratively  
7 attached to the Office of Water within the department. The  
8 department shall provide the council with the staff necessary to  
9 carry out the council's duties under this chapter.

10           Sec. 50D.0106. ASSISTANCE OF STATE AGENCIES. On request by  
11 the council, a state agency shall provide assistance to the  
12 council, including necessary support staff.

13           Sec. 50D.0107. BEST PRACTICES GUIDE AND REPORT TO  
14 LEGISLATURE. (a) Not later than November 1 of each even-numbered  
15 year, the council shall:

16                   (1) publish a best management practices guide for use  
17 by state agencies and counties, municipalities, and other political  
18 subdivisions responsible for initiatives identified and assessed  
19 by the council, including information on potential funding sources;  
20 and

21                   (2) make a report to the lieutenant governor, the  
22 speaker of the house of representatives, and the legislative  
23 committees with primary jurisdiction over the issues described in  
24 the report.

25                   (b) The report under Subsection (a) must include  
26 recommendations on additional legislative action, if any, that is  
27 needed to implement the recommended best management practices.

1 SECTION 2. This Act takes effect September 1, 2019.