

## **BILL ANALYSIS**

H.B. 2710  
By: Bowers  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In Texas, an entity that has a senior surface water right that does not use the entire amount permitted risks losing part or all of that water right after a 10-year period. At times, this has caused a water right holder to pull more water than is needed to maintain the water right, which needlessly wastes water. H.B. 2710 seeks to remedy this situation by allowing these holders to enter into a forbearance agreement that promotes the restoration, preservation, or enhancement of instream flows in order to stave off cancellation of the water right.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2710 amends the Water Code to exempt a water use permit, certified filing, or certificate of adjudication, or a portion of such a permit, certified filing, or certificate of adjudication, from cancellation on the grounds of nonuse to the extent that the nonuse resulted from an executed forbearance agreement that promotes restoration, preservation, or enhancement of instream flows and was entered into by the holder of the permit, certified filing, or certificate of adjudication.

### **EFFECTIVE DATE**

September 1, 2021.