

By: Morales Shaw

H.B. No. 2368

A BILL TO BE ENTITLED

AN ACT

relating to the participation by local governments in water quality control measures.

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

SECTION 1. Section 26.0151, Water Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) The commission shall establish and maintain an electronic portal for local governments to access:

(1) information provided under Subsection (a); and

(2) any discharge monitoring report received by the commission.

SECTION 2. Section 26.017, Water Code, is amended to read as follows:

Sec. 26.017. COOPERATION. The commission shall:

(1) encourage voluntary cooperation by the people, cities, counties, industries, associations, agricultural interests, and representatives of other interests in preserving the greatest possible utility of water in the state;

(2) encourage the formation and organization of cooperative groups, associations, cities, counties, industries, and other water users for the purpose of providing a medium to discuss and formulate plans for attainment of water quality control;

(3) establish policies and procedures for securing

1 close cooperation among state agencies that have water quality
2 control functions;

3 (4) cooperate with the governments of the United
4 States and other states and with official or unofficial agencies
5 and organizations with respect to water quality control matters and
6 with respect to formulation of interstate water quality control
7 compacts or agreements, and when representation of state interests
8 on a basin planning agency for water quality purposes is required
9 under Section 3(c) of the Federal Water Pollution Control Act, as
10 amended, or other federal legislation having a similar purpose, the
11 representation shall include an officer or employee of the
12 commission; and

13 (5) with respect to obtaining or administering the
14 NPDES program in lieu of the government of the United States, not
15 enter into any memorandum of agreement or other contractual
16 relationship with or among state agencies or with the government of
17 the United States which imposes any requirements upon the state
18 other than or more stringent than those specifically set forth in
19 Section 402(b) of the Federal Water Pollution Control Act, as
20 amended.

21 SECTION 3. As soon as practicable after the effective date
22 of this Act, the Texas Commission on Environmental Quality shall
23 establish the electronic portal required by Section 26.0151(d-1),
24 Water Code, as added by this Act.

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2021.