

BILL ANALYSIS

Senate Research Center
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H.B. 4373
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 75th Texas Legislature established a water planning process coordinated by 16 regional water planning groups (RWPGs), a "bottom-up" approach that relies heavily on critical work conducted at the local level. Since the passage of S.B. 1 in 1997, RWPGs have been required by law to make copies of their initially prepared plans—draft regional water plans—available at all county courthouses and at least one public library in each county in the regional water planning area. This requirement is burdensome and expensive, as the initially prepared plans can be several large binders full of thousands of pages. Electronic copies of these plans are available on planning group and Texas Water Development Board websites.

H.B. 4373 would amend Section 16.053, Water Code, by replacing the requirement to provide a physical copy the regional water plan one month before the hearing with a requirement to post the plan on the group's publicly accessible Internet website. H.B. 4373 would require each regional water planning group to maintain a publicly accessible Internet website with consideration and accommodation for residents of the regional water planning area who may need assistance accessing the prepared plan due to a lack of Internet services.

This change would provide significant cost savings for RWPGs and allow these critically needed funds to be applied to the development of regional water plans. Importantly, this change would not prohibit groups from continuing to place hard copies of initially prepared plans in public spaces if desired or by request at the local level. Further, the bill includes safeguards that require RWPGs to accommodate residents who lack access to adequate Internet services.

Key provisions:

- H.B. 4373 would amend Section 16.053(h), Water Code, by amending Subdivision (3), removing the requirement to provide a copy of the prepared regional water plan in the county courthouse and at least one public library of each county having land in the region. This notice requirement is replaced with a requirement to post the plan at least one month before the hearing on the group's publicly accessible Internet website and available for review at other locations. The notice for the hearing must include the address of the Internet website on which the plan will be posted.
- H.B. 4373 would amend Section 16.053(h), Water Code, by adding Subdivision (13), requiring each regional water planning group to maintain a publicly accessible Internet website. Additionally, each regional water planning group must consider and accommodate residents of the regional water planning area who may need assistance accessing the regional water plan prepared by the regional water planning group because of a lack of access to Internet services.

H.B. 4373 amends current law relating to the procedure by which a regional water planning group is required to make the regional water plan prepared by the group available for public inspection.

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 16.053(h), Water Code, by amending Subdivision (3) and adding Subdivision (13), as follows:

(3) Provides that the regional water planning group is required to make the regional water plan, rather than copies of the plan, available for public inspection at least one month before the hearing by posting the plan on the group's publicly accessible Internet website, rather than by providing a copy of the plan in the county courthouse and at least one public library of each county having land in the region, and is authorized make the plan available for review at other locations. Requires that the notice for the hearing include the address of the Internet website on which the plan will be posted and any other location where the plan is available for review. Makes nonsubstantive changes.

(13) Requires each regional water planning group to maintain a publicly accessible Internet website. Requires each regional water planning group to consider and accommodate residents of the regional water planning area who may need assistance accessing the regional water plan prepared by the regional water planning group because of a lack of access to Internet services.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.