

AN ACT

relating to water quality protection areas.

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

SECTION 1. Section 26.551, Water Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Coke Stevenson Scenic Riverway" means the South Llano River in Kimble County, located upstream of the river's confluence with the North Llano River at the city of Junction.

SECTION 2. Section 26.552(b), Water Code, is amended to read as follows:

(b) For the period of September 1, 2005, to September 1, 2027 [~~2025~~], the commission shall apply this subchapter only as a pilot program in:

(1) the John Graves Scenic Riverway; and

(2) the Coke Stevenson Scenic Riverway.

SECTION 3. Section 26.555, Water Code, is amended to read as follows:

Sec. 26.555. INSPECTIONS OF AND SAMPLING OF WATER IN PILOT PROGRAM AREAS [~~JOHN GRAVES SCENIC RIVERWAY~~]. (a) To detect potential violations of this subchapter in the John Graves Scenic Riverway and the Coke Stevenson Scenic Riverway, the commission, the Brazos River Authority or the Lower Colorado River Authority, as appropriate, and the Parks and Wildlife Department shall coordinate efforts to conduct each calendar year:

1           (1) visual inspections of the riverways [~~riverway~~];  
2 and  
3           (2) testing of water samples drawn from the Brazos  
4 River, the South Llano River, and their respective [~~its~~]  
5 tributaries [~~in the riverway~~].

6           (b) The visual inspections and the drawing of water samples  
7 must be conducted at least once in a winter month and at least once  
8 in a summer month. The visual inspections must be conducted both  
9 from the surfaces [~~surface~~] of the John Graves Scenic Riverway and  
10 the Coke Stevenson Scenic Riverway and from an aircraft flying over  
11 the riverways [~~riverway~~].

12           SECTION 4. Section 26.559, Water Code, is reenacted to read  
13 as follows:

14           Sec. 26.559. RECLAMATION AND RESTORATION FUND ACCOUNT. (a)  
15 Penalties and other money received by the commission as a result of  
16 an enforcement action taken under this subchapter, and any gift or  
17 grant the commission receives for the purposes of this subchapter,  
18 shall be deposited into the reclamation and restoration fund  
19 account in the general revenue fund. Money in the account may be  
20 appropriated only to the commission for the reclamation and  
21 restoration of the beds, bottoms, and banks of water bodies  
22 affected by the unlawful discharges subject to this subchapter.

23           (b) At least 60 days before spending money from the  
24 reclamation and restoration fund account, the commission shall  
25 publish notice of its proposed plan and conduct a hearing for the  
26 purpose of soliciting public comment, oral or written. The  
27 commission shall fully consider all written and oral submissions on

1 the proposed plan.

2 (c) At least 30 days before the date of the public hearing,  
3 the notice must be published in the Texas Register and in a  
4 newspaper of general circulation in the county where the violation  
5 resulting in the payment of the penalties or other money occurred.

6 (d) Interest and other income earned on money in the account  
7 shall be credited to the account. The account is exempt from the  
8 application of Section 403.095, Government Code.

9 SECTION 5. Section 26.562, Water Code, is amended to read as  
10 follows:

11 Sec. 26.562. EXPIRATION. This subchapter expires  
12 September 1, 2027 [~~2025~~].

13 SECTION 6. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1688 was passed by the House on May 2, 2023, by the following vote: Yeas 126, Nays 19, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1688 was passed by the Senate on May 23, 2023, by the following vote: Yeas 28, Nays 3.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor