

By: Murr

H.B. No. 1688

A BILL TO BE ENTITLED

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 North Llano River and South Llano River in Kimble County, located upstream of the rivers' confluence 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, 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 Coke Stevenson Scenic Riverway, and their respective
5 [~~its~~] 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. This Act takes effect September 1, 2023.