

1-1 By: Zaffirini, et al. S.B. No. 18
1-2 (In the Senate - Filed August 15, 2025; August 15, 2025,
1-3 read first time and referred to Committee on Finance;
1-4 August 15, 2025, reported favorably by the following vote:
1-5 Yeas 14, Nays 0; August 15, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hinojosa of Hidalgo	X		
1-10	Alvarado	X		
1-11	Bettencourt	X		
1-12	Campbell	X		
1-13	Creighton		X	
1-14	Flores	X		
1-15	Hall	X		
1-16	Kolkhorst	X		
1-17	Nichols	X		
1-18	Paxton	X		
1-19	Perry	X		
1-20	Schwertner	X		
1-21	West	X		
1-22	Zaffirini	X		

1-23 A BILL TO BE ENTITLED
1-24 AN ACT

1-25 relating to an exemption from the requirement to obtain a permit
1-26 from the Texas Commission on Environmental Quality for certain dams
1-27 or reservoirs operated and maintained for the purposes of erosion,
1-28 floodwater, and sediment control.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Section 11.121, Water Code, is amended to read as
1-31 follows:

1-32 Sec. 11.121. PERMIT REQUIRED. Except as provided in
1-33 Sections 11.1405, 11.142, 11.1421, 11.1422, 11.1423, and 18.003, no
1-34 person may appropriate any state water or begin construction of any
1-35 work designed for the storage, taking, or diversion of water
1-36 without first obtaining a permit from the commission to make the
1-37 appropriation.

1-38 SECTION 2. Subchapter D, Chapter 11, Water Code, is amended
1-39 by adding Section 11.1423 to read as follows:

1-40 Sec. 11.1423. PERMIT EXEMPTION FOR CERTAIN DAMS OR
1-41 RESERVOIRS FOR EROSION, FLOODWATER, AND SEDIMENT CONTROL. (a) In
1-42 this section, "qualified local sponsor" means a district or
1-43 authority created under Section 52(b)(1) or (2), Article III, or
1-44 Section 59, Article XVI, Texas Constitution, that has entered into
1-45 an agreement with the United States Department of Agriculture's
1-46 Natural Resources Conservation Service pursuant to the Watershed
1-47 Protection and Flood Prevention Act (16 U.S.C. Section 1001 et
1-48 seq.) to serve as a local sponsor to operate and maintain a dam or
1-49 reservoir for purposes of erosion, floodwater, and sediment
1-50 control.

1-51 (b) Without obtaining a permit, a qualified local sponsor
1-52 may:

1-53 (1) construct or maintain on property owned or
1-54 controlled by the qualified local sponsor a dam or reservoir with
1-55 normal storage of not more than 200 acre-feet of water for the
1-56 purposes of erosion, floodwater, and sediment control; and

1-57 (2) divert water from the dam or reservoir as needed in
1-58 order to repair, maintain, or rehabilitate the impoundment and
1-59 associated works of improvement so as to maintain the operational
1-60 integrity and purpose of the dam or reservoir.

1-61 (c) The termination of an agreement between a qualified

2-1 local sponsor and the United States Department of Agriculture's
2-2 Natural Resources Conservation Service does not affect the
2-3 exemption described by Subsection (b), provided that the dam or
2-4 reservoir continues to be owned or controlled by the qualified
2-5 local sponsor for the purposes of erosion, floodwater, and sediment
2-6 control.

2-7 SECTION 3. The Texas Commission on Environmental Quality
2-8 shall adopt rules to implement Section 11.1423, Water Code, as
2-9 added by this Act, not later than April 1, 2026.

2-10 SECTION 4. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect on the 91st day after the last day of the
2-15 legislative session.

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