

## **BILL ANALYSIS**

C.S.H.B. 3333  
By: Morales, Eddie  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that landowners and local stakeholders have raised concerns about potential wastewater discharges in the Devils River Basin and that there is a growing need to ensure that future developments, including commercial projects, do not introduce pollutants that could harm the region's pristine waters. C.S.H.B. 3333, which is aligned with resolutions from the Devils River Conservancy, Val Verde County commissioners, and the City of Del Rio, seeks to address water quality concerns regarding the basin in the county by prohibiting the Texas Commission on Environmental Quality from issuing a new permit authorizing the direct discharge from a domestic, industrial, or commercial wastewater treatment facility of any waste, effluent, or pollutants into certain stream segments, stream assessment units, or drainage areas in order to prevent environmental degradation in this ecologically sensitive area, which is known for its high water quality.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3333 amends the Water Code to prohibit the Texas Commission on Environmental Quality (TCEQ) from issuing a new permit authorizing the direct discharge from a domestic, industrial, or commercial wastewater treatment facility of any waste, effluent, or pollutants into a stream segment, stream assessment unit, or drainage area to which the bill's provisions apply. The bill expressly does not affect the TCEQ's authority to issue the following:

- an individual permit for a municipal separate storm sewer system; or
- a general permit for stormwater and associated non-stormwater discharges.

C.S.H.B. 3333 defines the following terms:

- "assessment unit" by reference to its meaning assigned by the TCEQ's Surface Water Quality Monitoring Program as it existed on September 1, 2025;
- "classified segment" as any portion of Devils River located in Val Verde County and identified in specified appendices of certain rules relating to surface water quality standards as the rules existed on September 1, 2025;
- "drainage area" as any unclassified water body that drains to a stream segment or a stream assessment unit to which the bill's provisions apply;

- "stream assessment unit" as an assessment unit for a stream, creek, or river, or a portion of a stream, creek, or river, that is located within a classified segment that is not a stream segment to which the bill's provisions apply;
- "stream segment" as a stream, creek, or river, or a portion of a stream, creek, or river, that is a classified segment; and
- "unclassified water body" as a water body other than a classified segment or an assessment unit located within a classified segment.

C.S.H.B. 3333 applies only to an application for a permit that is submitted to the TCEQ on or after the bill's effective date. An application for a permit that was submitted to the TCEQ before the bill's effective date is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 3333 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With respect to the bill's definition of "classified segment" as, in part, any portion of Devils River, the substitute specifies such a portion as any portion of the river located in Val Verde County, whereas the introduced did not include this specification.

The substitute omits the provision from the introduced that made the bill's provisions applicable to the following:

- a stream segment or stream assessment unit that, on September 1, 2025, has had the following:
  - at least 10 water quality samples taken from the stream segment or stream assessment unit over the 10 calendar years preceding January 1, 2024; and
  - according to data in the TCEQ's Surface Water Quality Monitoring Information System, a total phosphorus level below 0.06 milligrams per liter in 90 percent or more of all water quality samples taken from the stream segment or stream assessment unit over the 10 calendar years preceding January 1, 2024; and
- the drainage areas of any such stream segment or stream assessment unit.

The substitute expands the introduced version's prohibition against the TCEQ issuing a new permit authorizing the direct discharge from a domestic wastewater treatment facility of any waste, effluent, or pollutants into an applicable stream segment, stream assessment unit, or drainage area to include an industrial or commercial wastewater treatment facility.

The substitute omits the provision from the introduced that established that the bill expressly does not affect the TCEQ's authority to issue a new or amended permit to a municipality or a river authority that authorizes a direct discharge from a domestic wastewater treatment facility of waste, effluent, or pollutants into a stream segment, stream assessment unit, or drainage area to which the bill's provisions apply.

The substitute omits the provision from the introduced that provided for the bill's possible immediate effect, contingent on receiving the requisite constitutional vote.