

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1746
By: Creighton
Transportation
4/10/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1746 will expand the authority of Texas navigation districts and port authorities by allowing them to relocate or dispose of dredged materials from established disposal sites. The districts can exercise eminent domain or police power for this purpose, provided they cover all costs and account for any net salvage value. This change is intended to facilitate the beneficial use of dredged materials during projects that require dredging through existing disposal sites.

Overall, this bill provides navigation districts with the tools necessary to manage dredged materials, ensuring they can maintain operational efficiency while promoting environmentally sound practices through beneficial reuse.

(Original Author/Sponsor's Statement of Intent)

C.S.S.B. 1746 amends current law relating to the relocation or removal of dredged spoils or materials by a navigation district.

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 Subchapter E, Chapter 60, Water Code, by adding Section 60.1021, as follows:

Sec. 60.1021. RELOCATION OR REMOVAL OF DREDGED SPOILS OR MATERIALS. (a) Defines "dredged material placement area" and "sole expense."

(b) Requires a navigation district, if, in an exercise of the district's powers under Subchapter E (Powers of Districts for Improvement of Port Facilities), the district's power of eminent domain, or the district's police power, the district requires the relocation or removal of dredged spoils or materials from a dredged material placement area owned, operated, managed, or established by another district, to comply with all requirements imposed by the United States Army Corp of Engineers related to the dredged material placement area and either pay at the district's sole expense the cost of relocating or removing dredged spoils or materials or relocate or remove the dredged spoils or materials.

(c) Requires a district that required the relocation or removal of dredged spoils or materials under Subsection (b), if the district that required the relocation or removal results in the reduction of another district's rights to capacity in the dredged material placement area, to be obligated to:

(1) replace the affected district's lost capacity and provide rights to the replaced lost capacity in an alternative dredged material placement area; and

(2) pay the affected district's increased costs, if any, to transport the dredged spoils or materials associated with the lost capacity to the alternative dredged material placement area described by Subdivision (1).

SECTION 2. Effective date: upon passage or September 1, 2025.