

By: Zwiener

H.B. No. 3141

A BILL TO BE ENTITLED

1 AN ACT

2 relating to information relied on by the Texas Commission on  
3 Environmental Quality for purposes of rules involving rainfall  
4 estimates.

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

6 SECTION 1. Subchapter D, Chapter 5, Water Code, is amended  
7 by adding Section 5.137 to read as follows:

8 Sec. 5.137. RULES REFERENCING RAINFALL INTENSITY,  
9 DURATION, AND FREQUENCY. (a) This section applies only to a  
10 commission rule the adoption of which involved an evaluation of  
11 rainfall intensity, duration, or frequency.

12 (b) The commission shall update rules as necessary to  
13 incorporate the latest available rainfall intensity, duration, and  
14 frequency data from the National Oceanic and Atmospheric  
15 Administration or a comparable source at least once every five  
16 years.

17 (c) The commission shall update rules as necessary to  
18 incorporate the latest available rainfall intensity, duration, and  
19 frequency data from each new volume of the Precipitation-Frequency  
20 Atlas of the United States published by the National Oceanic and  
21 Atmospheric Administration.

22 (d) During each rulemaking required by Subsection (b), the  
23 commission shall consider:

24 (1) the value of costs avoided by the state as a result

1 of updating the rainfall intensity, frequency, and duration data;

2 (2) a description of the variance between the existing  
3 and newly available rainfall intensity, frequency, and duration  
4 data; and

5 (3) the accuracy of the newly available rainfall  
6 intensity, frequency, and duration data in comparison to the  
7 existing rainfall intensity, frequency, and duration data.

8 SECTION 2. Not later than January 1, 2026, the Texas  
9 Commission on Environmental Quality shall adopt the first updated  
10 rules required by Section 5.137, Water Code, as added by this Act.

11 SECTION 3. This Act takes effect September 1, 2025.