

By: Morales of Maverick

H.B. No. 3333

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a restriction on permits authorizing direct discharges  
3 of waste or pollutants into water in certain stream segments,  
4 stream assessment units, and drainage areas.

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

6 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
7 by adding Section 26.0275 to read as follows:

8 Sec. 26.0275. RESTRICTION ON PERMITS FOR DISCHARGES INTO  
9 CERTAIN SEGMENTS, ASSESSMENT UNITS, AND DRAINAGE AREAS. (a) In  
10 this section:

11 (1) "Assessment unit" has the meaning assigned by the  
12 commission's Surface Water Quality Monitoring Program as it existed  
13 on September 1, 2025.

14 (2) "Classified segment" means any portion of Devil's  
15 River identified in Appendices A and C of 30 T.A.C. Section 307.10  
16 as it existed on September 1, 2025.

17 (3) "Drainage area" means any unclassified water body  
18 that drains to a stream segment or a stream assessment unit to which  
19 this section applies.

20 (4) "Stream assessment unit" means an assessment unit  
21 for a stream, creek, or river, or a portion of a stream, creek, or  
22 river, that is located within a classified segment that is not a  
23 stream segment to which this section applies.

24 (5) "Stream segment" means a stream, creek, or river,

1 or a portion of a stream, creek, or river, that is a classified  
2 segment.

3 (6) "Unclassified water body" means a water body other  
4 than a classified segment or an assessment unit located within a  
5 classified segment.

6 (b) This section applies to:

7 (1) a stream segment or stream assessment unit that,  
8 on September 1, 2025, has had:

9 (A) at least 10 water quality samples taken from  
10 the stream segment or stream assessment unit over the 10 calendar  
11 years preceding January 1, 2024; and

12 (B) according to data in the commission's Surface  
13 Water Quality Monitoring Information System, a total phosphorus  
14 level below 0.06 milligrams per liter in 90 percent or more of all  
15 water quality samples taken from the stream segment or stream  
16 assessment unit over the 10 calendar years preceding January 1,  
17 2024; and

18 (2) the drainage areas of any stream segment or stream  
19 assessment unit that meets the requirements of Subdivision (1).

20 (c) Except as provided by Subsection (d), the commission may  
21 not issue a new permit authorizing the direct discharge from a  
22 domestic wastewater treatment facility of any waste, effluent, or  
23 pollutants into a stream segment, stream assessment unit, or  
24 drainage area to which this section applies.

25 (d) This section does not affect the authority of the  
26 commission to issue:

27 (1) a new or amended permit to a municipality or a

1 river authority that authorizes a direct discharge from a domestic  
2 wastewater treatment facility of waste, effluent, or pollutants  
3 into a stream segment, stream assessment unit, or drainage area to  
4 which this section applies;

5           (2) an individual permit for a municipal separate  
6 storm sewer system; or

7           (3) a general permit for stormwater and associated  
8 non-stormwater discharges.

9           SECTION 2. The change in law made by this Act applies only  
10 to an application for a permit that is submitted to the Texas  
11 Commission on Environmental Quality on or after the effective date  
12 of this Act. An application for a permit that was submitted to the  
13 Texas Commission on Environmental Quality before the effective date  
14 of this Act is governed by the law in effect at the time the  
15 application was filed, and the former law is continued in effect for  
16 that purpose.

17           SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2025.