

By: Morales Shaw

H.B. No. 3728

A BILL TO BE ENTITLED

AN ACT

relating to the adoption by the Texas Commission on Environmental  
Quality of salinity requirements for bays and estuaries.

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

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
by adding Section 26.0231 to read as follows:

Sec. 26.0231. SALINITY OF BAYS AND ESTUARIES. The  
commission shall incorporate in standards set under Section 26.023:

(1) numeric salinity gradients for bays and estuaries  
where site-specific salinity studies exist; and

(2) narrative salinity criteria for bays and estuaries  
listing specific species within bays and estuaries to support  
attainable estuarine dependent aquatic life.

SECTION 2. (a) The Texas Commission on Environmental  
Quality shall ensure that water quality standards set by the  
commission under Section 26.023, Water Code, comply with Section  
26.0231, Water Code, as added by this Act, in the first revision of  
the commission's relevant rules that occurs after the effective  
date of this Act.

(b) Not later than September 1, 2026, the Texas Commission  
on Environmental Quality shall publish on its Internet website a  
report on the results of long-term studies conducted between 2003  
and 2025 by the commission and other state agencies of estuarine  
salinity gradients. The report must assess, based on available

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1 information from stakeholders and the studies, the effects of  
2 additional wastewater loading, desalination, and changes in  
3 hydrological conditions and rainfall on estuarine salinity  
4 gradients and estuarine dependent wildlife.

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