

By: Blanco

S.B. No. 1268

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the review and updating by the Texas Water Development
3 Board of guidance principles and rules related to certain plans
4 adopted or approved by the board.

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

6 SECTION 1. Section 16.051, Water Code, is amended by
7 amending Subsection (d) and adding Subsection (d-1) to read as
8 follows:

9 (d) The board, in coordination with the commission, the
10 Department of Agriculture, and the Parks and Wildlife Department,
11 shall adopt by rule guidance principles for the state water plan
12 which reflect the public interest of the entire state. When
13 adopting guidance principles, due consideration shall be given to
14 the construction and improvement of surface water resources and the
15 application of principles that result in voluntary redistribution
16 of water resources. The board shall review and update the guidance
17 principles and any other rules related to the state water plan, with
18 input from the commission, the Department of Agriculture, and the
19 Parks and Wildlife Department, as necessary but at least every five
20 years to coincide with the five-year cycle for adoption of a new
21 water plan as described in Subsection (a).

22 (d-1) The requirement to review a rule not later than the
23 fourth anniversary of the date on which the rule takes effect and
24 every four years after that date under Section 2001.039(b),

1 Government Code, does not apply to a rule related to the state water
2 plan adopted under this section.

3 SECTION 2. Section 16.053, Water Code, is amended by adding
4 Subsections (f-1) and (f-2) to read as follows:

5 (f-1) The board shall review and update rules adopted under
6 this section as necessary but at least every five years to coincide
7 with the five-year cycle for adoption of a new water plan as
8 described in Section 16.051.

9 (f-2) The requirement to review a rule not later than the
10 fourth anniversary of the date on which the rule takes effect and
11 every four years after that date under Section 2001.039(b),
12 Government Code, does not apply to a rule adopted under this
13 section.

14 SECTION 3. Section 16.061, Water Code, is amended by
15 amending Subsection (c) and adding Subsection (c-1) to read as
16 follows:

17 (c) The board, in coordination with the commission, the
18 Department of Agriculture, the General Land Office, the Parks and
19 Wildlife Department, the Texas Division of Emergency Management,
20 and the State Soil and Water Conservation Board, shall adopt
21 guidance principles for the state flood plan that reflect the
22 public interest of the entire state. The board shall review and
23 revise the guidance principles and any other rules related to the
24 state flood plan, with input from the commission, the Department of
25 Agriculture, the General Land Office, the Parks and Wildlife
26 Department, the Texas Division of Emergency Management, and the
27 State Soil and Water Conservation Board, as necessary and at least

1 every fifth year to coincide with the five-year cycle for adoption
2 of a new state flood plan.

3 (c-1) The requirement to review a rule not later than the
4 fourth anniversary of the date on which the rule takes effect and
5 every four years after that date under Section 2001.039(b),
6 Government Code, does not apply to a rule adopted under this
7 section.

8 SECTION 4. Section 16.062, Water Code, is amended by adding
9 Subsections (m) and (n) to read as follows:

10 (m) The board shall review and update rules adopted under
11 this section as necessary but at least every five years to coincide
12 with the five-year cycle for adoption of a new flood plan as
13 described in Section 16.061.

14 (n) The requirement to review a rule not later than the
15 fourth anniversary of the date on which the rule takes effect and
16 every four years after that date under Section 2001.039(b),
17 Government Code, does not apply to a rule adopted under this
18 section.

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