

1-1 By: Creighton, Hagenbuch S.B. No. 1746
1-2 (In the Senate - Filed February 28, 2025; March 13, 2025,
1-3 read first time and referred to Committee on Transportation;
1-4 April 14, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 14, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Nichols	X			
1-10	West			X	
1-11	Bettencourt	X			
1-12	Hagenbuch	X			
1-13	Hinojosa of Hidalgo	X			
1-14	Johnson	X			
1-15	King			X	
1-16	Miles	X			
1-17	Perry	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1746 By: Hagenbuch

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the relocation or removal of dredged spoils or
1-22 materials by a navigation district.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter E, Chapter 60, Water Code, is amended
1-25 by adding Section 60.1021 to read as follows:

1-26 Sec. 60.1021. RELOCATION OR REMOVAL OF DREDGED SPOILS OR
1-27 MATERIALS. (a) In this section:

1-28 (1) "Dredged material placement area" means a
1-29 federally authorized disposal site for dredged spoils or materials.

1-30 (2) "Sole expense" means the actual cost of or an
1-31 in-kind contribution for the relocation or removal after deducting
1-32 the net salvage value derived from the dredged spoils or materials.

1-33 (b) If, in an exercise of the district's powers under this
1-34 subchapter, the district's power of eminent domain, or the
1-35 district's police power, a district requires the relocation or
1-36 removal of dredged spoils or materials from a dredged material
1-37 placement area owned, operated, managed, or established by another
1-38 district, the district that requires the relocation or removal
1-39 shall:

1-40 (1) comply with all requirements imposed by the United
1-41 States Army Corp of Engineers related to the dredged material
1-42 placement area; and

1-43 (2) either:

1-44 (A) pay at the district's sole expense the cost
1-45 of relocating or removing dredged spoils or materials; or

1-46 (B) relocate or remove the dredged spoils or
1-47 materials.

1-48 (c) If the relocation or removal of dredged spoils or
1-49 materials under Subsection (b) results in the reduction of another
1-50 district's rights to capacity in the dredged material placement
1-51 area, the district that required the relocation or removal shall be
1-52 obligated to:

1-53 (1) replace the affected district's lost capacity and
1-54 provide rights to the replaced lost capacity in an alternative
1-55 dredged material placement area; and

1-56 (2) pay the affected district's increased costs, if
1-57 any, to transport the dredged spoils or materials associated with
1-58 the lost capacity to the alternative dredged material placement
1-59 area described by Subdivision (1).

1-60 SECTION 2. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2025.

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