

## **BILL ANALYSIS**

Senate Research Center

S.B. 1377  
By: Armbrister  
Natural Resources  
4/4/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently, a majority of states treat crop reserve program farms as “active” farms for all purposes of farm program benefits. However, some underground water districts in Texas are attempting to treat farms in federal crop reserve programs as non-active farms for the purpose of water allocations insofar as validation permits and exportation permits are concerned. As proposed, S.B. 1377 prohibits an underground water conservation district from discriminating against farms within the district because the farms are in federal crop reserve program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 36.002, Water Code, to prohibit a rule promulgated by a water district from discriminating against owners of land or their lessees and assigns whose land is enrolled or participating in a government program.

SECTION 2. Amends Section 36.101(a), Water Code, to require the board of a water district (board) during the rulemaking process to consider all groundwater uses and needs and to develop rules which are fair and impartial and that do not discriminate between land in production and land enrolled or participating in a government program.

SECTION 3. Amends Section 36.113, Water Code, by adding Subsection (h), to prohibit a district, in issuing a permit for an existing or historic use, from discriminating against land or wells on the land that has been enrolled or participated in a government program.

SECTION 4. Effective date: upon passage or September 1, 2003.