

BILL ANALYSIS

Senate Research Center
85R22730 JXC-D

C.S.S.B. 2026
By: Rodríguez
Agriculture, Water & Rural Affairs
5/2/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2026 establishes a report on statewide best practices with regard to green stormwater infrastructure, which are systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration, treatment, or use of stormwater. The spread of development and paved surfaces, which are impermeable to stormwater, contributes to increased runoff and flooding following weather events. There is currently no statewide survey of effective green stormwater infrastructure techniques intended to manage stormwater, minimize flood risk, and protect water quality. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2026 amends current law relating to a biennial report on stormwater infrastructure in this state.

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 Subchapter D, Chapter 5, Water Code, by adding Section 5.136, as follows:

Sec. 5.136. BIENNIAL REPORT ON STORMWATER INFRASTRUCTURE. (a) Defines "green stormwater infrastructure" and "low impact development."

(b) Requires the Texas Commission on Environmental Quality (TCEQ), each state fiscal biennium, to appoint a Green Stormwater Infrastructure and Low Impact Development Report Group (group) to prepare a report on the use of green stormwater infrastructure and low impact development in this state. Requires that each group be composed of 10 members appointed by TCEQ, with one member to represent each of certain entities.

(c) Requires TCEQ to solicit nominations for group members from the entities listed in Subsection (b). Prohibits TCEQ from appointing a person to serve as a group member representing a type of entity unless the person is nominated by a representative of that type of entity.

(d) Requires that each report include certain information.

(e) Requires TCEQ to publicly solicit information to support the preparation of the report and cooperate with the group in providing information or access to information.

(f) Requires the group to conduct at least one meeting to receive input on the preparation of the report, prepare a draft report, publish the draft report and solicit comments on the draft report, prepare a response-to-comments document and finalize the report, and, not later than January 1 of the second year of the state fiscal biennium, submit the final report to certain individuals.

SECTION 2. (a) Requires TCEQ to appoint the members of the first group under Section 5.136, Water Code, as added by this Act, in a timely manner to ensure that the group is able to prepare the report by January 1, 2019.

(b) Requires that the first biennial report prepared by the group, notwithstanding Section 5.136(d), Water Code, as added by this Act, include only information described by Section 5.136(d), Water Code, as added by this Act, that TCEQ requires to be in the report.

SECTION 3. Effective date: upon passage or September 1, 2017.