

BILL ANALYSIS

Senate Research Center

C.S.S.B. 696
By: Perry
Agriculture, Water & Rural Affairs
4/25/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Commission on Environmental Quality (TCEQ) relies on "water availability models" (WAM) when evaluating a newly requested water right or amendment to determine if water would be available in that particular river basin. One of the inputs included in creating a WAM is consideration of the drought of record for that river basin. While the current drought of record is from the 1950s, many stakeholders believe the drought in recent years may be the new drought of record in some of these basins, which would impact the WAM. In order for TCEQ to have the best available data for water right permitting, we must update the WAMs to determine if a new drought of record has been experienced in any of the basins. In some instances, the WAMs have not been updated in over 15-20 years.

S.B. 696 would require that the Texas Commission on Environmental Quality update the water availability models in the Trinity, Brazos, San Antonio, and Guadalupe river basins. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 696 amends current law relating to a requirement that the Texas Commission on Environmental Quality obtain or develop updated water availability models for certain river basins.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality as the successor agency to TNRCC.]

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 16.012, Water Code, by adding Subsection (h-1), as follows:

(h-1) Requires the Texas Natural Resource Conservation Commission (TNRCC) to, not later than December 1, 2020, obtain or develop updated water availability models for the Brazos, Guadalupe, San Antonio, Sulphur, and Rio Grande River basins. Authorizes TNRCC to collect data from all jurisdictions that allocate the waters of the rivers, including jurisdictions outside this state. Provides that this subsection expires September 1, 2021.

SECTION 2. Provides that this act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

SECTION 3. Effective date: September 1, 2017.