

BILL ANALYSIS

C.S.H.B. 2663
By: Puente
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 1997, as a result of the passage of the omnibus water legislation known as S.B. 1, Section 11.1272 was added to the Water Code to require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality and the Texas Water Development Board in SECTION 1 (Section 11.1272, Water Code) of this bill.

ANALYSIS

C.S.H.B. 2663 requires that all drought contingency plans required by Texas Commission on Environmental Quality (TCEQ) rule must include specific, quantified targets for water reductions to be achieved during periods of water shortages and drought, with the entity preparing the plan establishing those targets.

C.S.H.B. 2663 also requires the TCEQ and Texas Water Development Board by joint rule to identify quantified target goals (not enforceable requirements) for drought contingency plans that wholesale and retail public water suppliers, irrigation districts, and others may use as guidelines in preparing drought contingency plans and jointly to develop model drought contingency plans for different types of water suppliers.

EFFECTIVE DATE

The Act takes effect upon passage, or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2663 changes the date by which drought contingency plans must have targets for water use reductions from January 1, 2005, to May 1, 2005. Also, the substitute deletes the reference to "3-year, 5-year, and 10-year" targets for water use reductions and instead requires only "specific, quantified targets" for water use reductions.