

1-1 By: Guillen (Senate Sponsor - Hinojosa) H.B. No. 928  
 1-2 (In the Senate - Received from the House May 11, 2015;  
 1-3 May 11, 2015, read first time and referred to Committee on  
 1-4 Agriculture, Water, and Rural Affairs; May 20, 2015, reported  
 1-5 adversely, with favorable Committee Substitute by the following  
 1-6 vote: Yeas 6, Nays 0; May 20, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 928 By: Perry

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to state and local planning for and responses to drought.  
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Section 10.003, Water Code, is amended to read as  
 1-22 follows:  
 1-23 Sec. 10.003. CREATION AND MEMBERSHIP. (a) The council is  
 1-24 composed of 25 [~~23~~] members appointed by the board. The board shall  
 1-25 appoint:  
 1-26 (1) one member to represent each of the following  
 1-27 entities or interest groups:  
 1-28 (A) [~~(1)~~] Texas Commission on Environmental  
 1-29 Quality;  
 1-30 (B) [~~(2)~~] Department of Agriculture;  
 1-31 (C) [~~(3)~~] Parks and Wildlife Department;  
 1-32 (D) [~~(4)~~] State Soil and Water Conservation  
 1-33 Board;  
 1-34 (E) [~~(5)~~] Texas Water Development Board;  
 1-35 (F) [~~(6)~~] regional water planning groups;  
 1-36 (G) [~~(7)~~] federal agencies;  
 1-37 (H) [~~(8)~~] municipalities;  
 1-38 (I) [~~(9)~~] groundwater conservation districts;  
 1-39 (J) [~~(10)~~] river authorities;  
 1-40 (K) [~~(11)~~] environmental groups;  
 1-41 (L) [~~(12)~~] irrigation districts;  
 1-42 (M) [~~(13)~~] institutional water users;  
 1-43 (N) [~~(14)~~] professional organizations focused on  
 1-44 water conservation;  
 1-45 (O) [~~(15)~~] higher education;  
 1-46 (P) [~~(16)~~] agricultural groups;  
 1-47 (Q) [~~(17)~~] refining and chemical manufacturing;  
 1-48 (R) [~~(18)~~] electric generation;  
 1-49 (S) [~~(19)~~] mining and recovery of minerals;  
 1-50 (T) [~~(20)~~] landscape irrigation and  
 1-51 horticulture;  
 1-52 (U) [~~(21)~~] water control and improvement  
 1-53 districts;  
 1-54 (V) [~~(22)~~] rural water users; and  
 1-55 (W) [~~(23)~~] municipal utility districts; and  
 1-56 (2) two members to represent investor-owned  
 1-57 utilities.  
 1-58 (b) Each entity or interest group described by Subsection  
 1-59 (a) may recommend one or more persons to fill a [the] position on  
 1-60 the council held by a [the] member who represents that entity or

2-1 interest group. If one or more persons are recommended for a  
2-2 position on the council, the board shall appoint one of the persons  
2-3 recommended to fill the position.

2-4 SECTION 2. Section 10.004(a), Water Code, is amended to  
2-5 read as follows:

2-6 (a) Members of the council serve staggered terms of six  
2-7 years, with [~~seven or~~] eight or nine members' terms, as applicable,  
2-8 expiring August 31 of each odd-numbered year.

2-9 SECTION 3. Section 10.010, Water Code, is amended to read as  
2-10 follows:

2-11 Sec. 10.010. POWERS AND DUTIES OF COUNCIL. (a) The council  
2-12 shall:

2-13 (1) monitor trends in water conservation  
2-14 implementation;

2-15 (2) monitor new water conservation technologies for  
2-16 possible inclusion by the board as best management practices in the  
2-17 best management practices guide described by Section 16.0552  
2-18 [~~developed by the water conservation implementation task force~~  
2-19 ~~under Chapter 109, Acts of the 78th Legislature, Regular Session,~~  
2-20 ~~2003~~];

2-21 (3) monitor the effectiveness of the statewide water  
2-22 conservation public awareness program developed under Section  
2-23 16.401 and associated local involvement in implementation of the  
2-24 program;

2-25 (4) develop and implement a state water management  
2-26 resource library;

2-27 (5) develop and implement a public recognition program  
2-28 for water conservation;

2-29 (6) monitor the implementation of water conservation  
2-30 strategies by water users included in regional water plans; and

2-31 (7) monitor target and goal guidelines for water  
2-32 conservation to be considered by the board and commission.

2-33 (b) To assist with drought preparedness and response, the  
2-34 council shall:

2-35 (1) monitor and recommend strategies for responding to  
2-36 drought;

2-37 (2) monitor new drought response technologies for  
2-38 possible inclusion by the board as best management practices in the  
2-39 best management practices guide described by Section 16.0552; and

2-40 (3) recommend methodologies for conducting drought  
2-41 contingency plan evaluations described by Section 11.1272(g).

2-42 SECTION 4. Section 11.1272, Water Code, is amended by  
2-43 adding Subsections (f), (g), (h), and (i) to read as follows:

2-44 (f) A wholesale or retail public water supplier or  
2-45 irrigation district may review and update the supplier or  
2-46 district's drought contingency plan and submit to the commission  
2-47 the reviewed or updated plan.

2-48 (g) A wholesale or retail public water supplier or  
2-49 irrigation district may include in each reviewed or updated drought  
2-50 contingency plan submitted to the commission an evaluation of the  
2-51 effectiveness of strategies in the plan that were implemented by  
2-52 the supplier or district during any previous period of significant  
2-53 drought. The commission by rule may define "significant drought"  
2-54 for purposes of this subsection.

2-55 (h) A wholesale or retail public water supplier shall notify  
2-56 the commission not later than the fifth business day after the date  
2-57 the supplier implements, changes the manner of implementing, or  
2-58 ceases to implement a mandatory provision of the supplier's drought  
2-59 contingency plan. The commission by rule shall establish criteria  
2-60 for determining the actions that must be reported under this  
2-61 subsection.

2-62 (i) The commission shall maintain on its Internet website a  
2-63 list of wholesale and retail public water suppliers that are  
2-64 currently implementing a drought contingency plan that displays for  
2-65 each supplier:

2-66 (1) the degree of drought severity in the county or  
2-67 counties in which the service area of the supplier is located;

2-68 (2) whether the service area of the supplier is in a  
2-69 county subject to a declaration under Section 418.014 or 418.108,

3-1 Government Code, of a state of disaster due to drought conditions;  
3-2 and

3-3 (3) the drought response stage the supplier is  
3-4 implementing.

3-5 SECTION 5. Subchapter C, Chapter 16, Water Code, is amended  
3-6 by adding Section 16.0552 to read as follows:

3-7 Sec. 16.0552. BEST MANAGEMENT PRACTICES GUIDE. (a) In this  
3-8 section, "best management practices" has the meaning assigned by  
3-9 Section 11.002.

3-10 (b) The board, in coordination with the commission and the  
3-11 Water Conservation Advisory Council, shall:

3-12 (1) regularly review and update the water conservation  
3-13 best management practices guide developed by the water conservation  
3-14 implementation task force under Chapter 109 (S.B. 1094), Acts of  
3-15 the 78th Legislature, Regular Session, 2003; and

3-16 (2) include in the guide best management practices for  
3-17 drought response.

3-18 (c) The board shall make the guide available on its Internet  
3-19 website.

3-20 SECTION 6. As soon as practicable after the effective date  
3-21 of this Act, the Texas Water Development Board shall appoint two  
3-22 additional members to the Water Conservation Advisory Council as  
3-23 required by Section 10.003(a)(2), Water Code, as added by this Act.  
3-24 The members appointed under this subsection serve terms expiring  
3-25 August 31, 2021.

3-26 SECTION 7. As soon as practicable after the effective date  
3-27 of this Act, the Texas Commission on Environmental Quality shall  
3-28 adopt rules as necessary to implement Section 11.1272, Water Code,  
3-29 as amended by this Act.

3-30 SECTION 8. This Act takes effect September 1, 2015.

3-31

\* \* \* \* \*