

By: Lozano

H.B. No. 1868

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas Rural Water Advisory Council.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 3, Agriculture Code, is amended by adding Chapter 50D to read as follows:

CHAPTER 50D. TEXAS RURAL WATER ADVISORY COUNCIL

Sec. 50D.0101. DEFINITION. In this chapter, "council" means the Texas Rural Water Advisory Council.

Sec. 50D.0102. COMPOSITION. (a) The council is composed of 15 members appointed as follows:

(1) the executive director or the executive director's designee of the following entities shall appoint a representative for that entity:

(A) the Parks and Wildlife Department;

(B) the Texas Commission on Environmental Quality;

(C) the Texas Department of Transportation; and

(D) the State Soil and Water Conservation Board;

(2) the commissioner of the Department of Agriculture shall appoint a representative of that agency from the Office of Water;

(3) the commissioner of the General Land Office shall appoint a representative of that agency;

(4) the lieutenant governor shall appoint three

1 members with each member to represent one of the following:

2 (A) a rural county;

3 (B) an irrigation district; and

4 (C) a rural water supply corporation;

5 (5) the commissioner shall appoint three members with
6 each member representing an interest or issue under consideration
7 by the council and with the initial three members each representing
8 one of the following:

9 (A) the interests of pesticide applicators;

10 (B) the interests of a statewide nonprofit
11 organization focused on litter prevention, mitigation, and
12 abatement; and

13 (C) the interests of agricultural landowners;

14 and

15 (6) the speaker of the house of representatives shall
16 appoint three members with each member to represent one of the
17 following:

18 (A) a rural municipality;

19 (B) a river authority; and

20 (C) a drainage district.

21 (b) The council shall elect a presiding officer from among
22 its members.

23 (c) Members of the council serve staggered terms of two
24 years, with either seven or eight members' terms, as applicable,
25 expiring February 1 of each year.

26 (d) Chapter 2110, Government Code, does not apply to the
27 size, composition, or duration of the council.

1 (e) Service on the council by a state officer or employee is
2 an additional duty of the member's office or employment. Members of
3 the board are not entitled to compensation or reimbursement of
4 expenses.

5 (f) The council may accept gifts and grants from any source
6 to be used to carry out a function of the council.

7 Sec. 50D.0103. DUTIES. On an ongoing basis, the council
8 shall assist the department in assessing the existence of,
9 effectiveness of, or need for rural water initiatives in this state
10 regarding the prevention, mitigation, and abatement of windblown
11 and waterborne litter and illegal dumping in rural communities,
12 pesticide runoff from agricultural lands, rainwater harvesting,
13 rural water use, and other topics as requested by the department by:

14 (1) identifying and evaluating best management
15 practices for municipal, commercial, industrial, and agricultural
16 properties as they relate to the water initiatives assessed by this
17 section, including the feasibility, costs, and benefits of those
18 practices; and

19 (2) evaluating:

20 (A) the feasibility and implementation needs of
21 best management practices in different regions of the state;

22 (B) the jurisdiction and effectiveness of law
23 enforcement;

24 (C) the role of state funding for incentive
25 programs; and

26 (D) the appropriate state oversight and
27 community support efforts.

1 Sec. 50D.0104. MEETINGS. The council shall meet at least
2 twice each year and may meet at other times considered necessary by
3 the commissioner.

4 Sec. 50D.0105. STAFF. The council is administratively
5 attached to the Office of Water within the department. The
6 department shall provide the council with the staff necessary to
7 carry out the council's duties under this chapter.

8 Sec. 50D.0106. ASSISTANCE OF STATE AGENCIES. On request by
9 the council, a state agency shall provide assistance to the
10 council, including necessary support staff.

11 Sec. 50D.0107. BEST PRACTICES GUIDE AND REPORT TO
12 LEGISLATURE. (a) Not later than November 1 of each even-numbered
13 year, the council shall:

14 (1) publish a best management practices guide for use
15 by state agencies and counties, municipalities, and other political
16 subdivisions responsible for initiatives identified and assessed
17 by the council, including information on potential funding sources;
18 and

19 (2) make a report to the lieutenant governor, the
20 speaker of the house of representatives, and the legislative
21 committees with primary jurisdiction over the issues described in
22 the report.

23 (b) The report under Subsection (a) must include
24 recommendations on additional legislative action, if any, that is
25 needed to implement the recommended best management practices.

26 SECTION 2. This Act takes effect September 1, 2019.