

BILL ANALYSIS

C.S.H.B. 1868
By: Lozano
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that the quality and quantity of water is of critical importance to many rural communities and agricultural landowners in Texas and that stakeholder groups could benefit from statewide guidance on rural water issues such as litter prevention and pesticide runoff. C.S.H.B. 1868 seeks to address this issue by creating the Texas Rural Water Advisory Council.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1868 amends the Agriculture Code to create the Texas Rural Water Advisory Council to assist the Department of Agriculture (TDA) on an ongoing basis in assessing the existence of, effectiveness of, or need for rural water initiatives in Texas regarding the prevention, mitigation, and abatement of windblown and waterborne litter and illegal dumping in rural communities, pesticide runoff from agricultural lands, rainwater harvesting, rural water use, and other topics as requested by the TDA. The bill sets out requirements for the council in conducting that assessment and requires the council, not later than November 1 of each even-numbered year, to publish a best management practices guide for use by state agencies and political subdivisions responsible for initiatives identified and assessed by the council and to make a report to the lieutenant governor, the speaker of the house of representatives, and the legislative committees with primary jurisdiction over the issues described in the report. The bill requires the report to include recommendations on additional legislative action, if any, that is needed to implement the recommended best management practices.

C.S.H.B. 1868 sets out provisions relating to the composition of the 15-member council and the council's operation, including those providing for member terms and service and council meetings. The bill provides for state agency assistance to the council on request, establishes that the council is administratively attached to the Office of Water within the TDA, and requires the TDA to provide the council with the staff necessary to carry out the council's duties.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1868 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a representative of a rural water supply corporation among the council members appointed by the lieutenant governor, but the substitute includes among those members instead a representative of a statewide nonprofit organization that represents the interests of water supply corporations and other rural water utilities.