

BILL ANALYSIS

C.S.H.B. 1904
By: Larson
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that the City of San Antonio has water infrastructure surrounding local military bases and that there is the possibility of municipally owned utilities providing water service to those bases. C.S.H.B. 1904 seeks to address this possibility by providing for certain substitute withdrawals of groundwater from the Edwards Aquifer.

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. 1904 amends Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, to authorize a municipally owned utility owned by the City of San Antonio, in addition to permitted withdrawals from the Edwards Aquifer, to withdraw without a permit groundwater from the aquifer if:

- the utility uses the groundwater to supply a military installation with water for human consumption, irrigation, operations, mission support, or infrastructure maintenance; and
- the utility and the military installation enter into a contract requiring the installation to reduce its groundwater withdrawals from the aquifer by the same amount of withdrawn water the installation receives from the utility.

The bill establishes that this authorization does not alter the obligations of a military installation under a biological opinion issued by a federal agency and caps the amount of water that may be provided by a municipally owned utility to a military installation under that authorization at the maximum amount of water that the military installation is authorized to withdraw from the aquifer under such an issued opinion.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1904 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 includes a provision establishing that the authorization for a utility to withdraw groundwater from the aquifer without a permit does not alter the obligations of a military installation under a biological opinion issued by a federal agency. The substitute includes a cap on the amount of water that may be provided by a utility to a military installation.