

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 76  
By: Truan  
Border Affairs  
3/5/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law provides general direction for the Texas Natural Resource Conservation Commission (TNRCC) to develop water availability models for the state's river basins. A water availability model accounts for all existing water rights, uses, and demands on a river to determine how much water is available and under what conditions it is available. TNRCC has no plans to develop a water availability model for the Rio Grande. C.S.S.B. 76 requires TNRCC to develop a water availability model for the Rio Grande.

### **PURPOSE**

As proposed, C.S.S.B. 76 requires the Texas Natural Resource Conservation Commission to develop a water availability model for the Rio Grande.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 16.012, Water Code, by adding a new Subsection (h), amending and relettering existing Subsection (h) as Subsection (i), and relettering existing Subsections (i) and (j) as Subsection (j) and (k), as follows:

(h) Requires the Texas Natural Resource Conservation Commission (TNRCC) to obtain or to develop an updated water availability model for the Rio Grande before December 31, 2003. Requires the model to encompass water rights granted by jurisdictions outside this state as well as the unique geology and hydrology of the region, recognizing that the Rio Grande is an international river touching on three states of the United States and five states of the United Mexican States and draining an area larger than the State of Texas. Requires TNRCC to collect data from all jurisdictions that allocate the water of the river, including jurisdictions outside this state.

(i) Requires TNRCC to notify all holders of any existing type of water right in the waters of the Rio Grande River who reside in or have corporate resident status in this state.

(j)-(k) Makes conforming changes.

SECTION 2. Emergency clause.

Effective date: upon passage.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 16.012, Water Code, to requires the model to encompass water rights granted by jurisdictions outside this state as well as the unique geology and hydrology of the region, recognizing that the Rio Grande is an international river touching on three states of the United States and five states of the United Mexican States and draining an area larger than the State of Texas. Deletes provisions requiring TNRCC to obtain or develop an updated water availability

model for the Rio Grande not later than December 1, 2001. Deletes a provision recognizing the Rio Grande as an international river touching on eight states and 19 tribes and pueblos.