

## **BILL ANALYSIS**

Senate Research Center  
77R1100 MI-F

S.B. 289  
By: Armbrister  
Natural Resources  
1/31/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, Texas law requires water quality management and watermaster fees to be charged to small hydroelectric facilities with a capacity of less than five megawatts. As proposed, S.B. 289 exempts small hydroelectric facilities with a capacity of less than five megawatts from paying the water quality management and watermaster fees.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 11.329, Water Code, by adding Subsection (g), to prohibit the Texas Natural Resource and Conservation Commission (commission) from assessing costs under this section against hydroelectric rights of facilities of less than five megawatts.

SECTION 2. Amends Section 11.404, Water Code, by amending Subsection (a), to prohibit the court from assessing costs and expenses under this section against hydroelectric rights of the facilities of less than five megawatts. Makes a conforming change.

SECTION 3. Amends Section 26.1035(h), Water Code, to prohibit irrigation water rights and hydroelectric rights of facilities of less than five megawatts from being subject to this assessment.

SECTION 4. Effective date: September 1, 2001.