

BILL ANALYSIS

Senate Research Center

H.B. 1378
By: Geren (Duncan)
Natural Resources
5/5/2003
Engrossed

DIGEST AND PURPOSE

H.B. 1378 clarifies language in several programs of the Texas Water Development Board and allows landowners to request that information collected through field investigations for groundwater availability modeling purposes be kept confidential.

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 Sections 15.005(a), (b), and (d), Water Code, as follows:

(a) Requires the executive administrator, rather than the development fund manager, on submission of a project application under this chapter, to determine if the application includes a project that will have flood control as one of its purposes and if the political subdivision submitting the application includes all of the watershed in which the project is to be located.

(b) and (d) Make conforming changes.

SECTION 2. Amends Section 16.012(m), Water Code, to authorize the executive administrator to conduct surveys of entities using groundwater and surface water for municipal, industrial, power generation, or mining purposes at intervals determined appropriate by the executive administrator to gather data to be used for long-term water supply planning. Deletes text regarding surveys obtained by the board from nongovernmental entities.

SECTION 3. Amends Section 16.012, Water Code, by adding Subsection (n), to provide that information collected through field investigations on a landowner's property by the executive administrator after September 1, 2003, solely for use in the development of groundwater availability models under Subsection (1) of this section that reveals site-specific information about such landowner is not subject to Chapter 552, Government Code, and prohibits it from being disclosed to any person outside the board if the landowner on whose land the information is collected has requested in writing that such information be deemed confidential. Authorizes the executive administrator, if a landowner requests that his or her information not be disclosed, to release information regarding groundwater information only if the information is summarized in a manner that prevents the identification of an individual or specific parcel of land and the landowner. Provides that this subsection does not apply to a parcel of land that is publicly owned.

SECTION 4. Amends Sections 16.053(d) and (e), Water Code, as follows:

(d) Deletes text requiring by rule a report to be sent to the board on certain water pipelines and other facilities and text regarding the prevention of certain management plans or projects.

(e) Deletes text regarding certain information on water pipelines and other facilities.

SECTION 5. Amends Section 17.183, Water Code, as follows:

Sec. 17.183. CONSTRUCTION CONTRACT REQUIREMENTS. Makes conforming changes.

SECTION 6. Amends Section 17.276(a), Water Code, to make a conforming change.

SECTION 7. Repealer: Section 11.155(c) (Aquifer Storage Pilot Project Reports), Water Code.

SECTION 8. Effective date: upon passage or September 1, 2003.