

## **BILL ANALYSIS**

Senate Research Center  
80R9343 SMH-F

H.B. 1032  
By: Puente (Duncan)  
Natural Resources  
5/15/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, regional water plans, governed by Section 16.053, Water Code, are approved by the Texas Water Development Board (TWDB) and are incorporated in the State Water Plan adopted by TWDB every five years. Regional water plans are also revised every five years. However, there are times when planning groups want to amend their plans within the five-year window. Because state law does not differentiate between a new plan and an amendment, the planning groups must follow the plan adoption process for even simple amendments.

H.B. 1032 allows limited expedited amendments to regional water plans when such amendments will not result in the over-allocation of any existing or planned water source, do not relate to a new reservoir, and will not have significant effect on instream flows or freshwater inflows to bays and estuaries.

### **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 16.053(h), Water Code, by adding Subdivisions (10) and (11), as follows:

(10) Authorizes the regional water planning group to amend the regional water plan after the plan has been approved by the Texas Water Development Board (TWDB). Provides that Subdivisions (1)-(9) apply to an amendment to the plan in the same manner as those subdivisions apply to the plan.

(11) Provides that this subdivision applies only to an amendment to a regional water plan approved by TWDB. Provides that this subdivision does not apply to the adoption of a subsequent regional water plan for submission to the board as required by Subsection (i). Authorizes the regional water planning group, notwithstanding Subdivision (10), to amend the plan in the manner provided by this subdivision if the executive administrator makes a written determination that the proposed amendment qualifies for adoption in the manner provided by this subdivision before the regional water planning group votes on adoption of the amendment. Provides that the proposed amendment qualifies for adoption in the manner provided by this subdivision only if the amendment is a minor amendment, as defined by board rules, that will not result in the overallocation of any existing or planned source of water, does not relate to a new reservoir, and will not have a significant effect on instream flows or freshwater inflows to bays and estuaries. Authorizes the regional water planning group, if the executive administrator determines that a proposed amendment qualifies for adoption in the manner provided by this subdivision, to adopt an amendment at a public meeting held in accordance with Chapter 551 (Commission on Jail Standards), Government Code. Requires the proposed amendment to be placed on the agenda for the meeting, and notice of the meeting to be given in the manner provided by Chapter 551, Government Code, at least two weeks before the date the meeting is held. Requires the public to be provided an opportunity to comment on the proposed amendment at the meeting.

SECTION 2. Effective date: upon passage or September 1, 2007.