

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 252
By: Larson; Burnam (Hegar)
Natural Resources
5/7/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is currently in one of the worst droughts on record, and nearly all of the state at one time or another has been classified as under extreme or exceptional drought. According to experts, the state will remain susceptible to drought for the foreseeable future. Water scarcity affects nearly all aspects of life in Texas, including the state's ability to attract new business. Along with the strain on municipal and industrial customers, the agriculture industry is susceptible to heavy losses, which in turn can cause food prices to rise and ranchers to sell their livestock.

Interested parties note that the Texas Commission on Environmental Quality (TCEQ) cannot require public water systems to self-report conditions regarding water availability and that this hampers the timely acquisition of information regarding water shortages. They further note that, during the current drought, TCEQ has spent time and resources monitoring public water systems that have come dangerously close to exhausting their water availability.

C.S.H.B. 252 amends current law relating to water shortage reporting by water utilities and providers of wholesale water service.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 13.148, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 13, Water Code, by adding Section 13.148, as follows:

Sec. 13.148. WATER SHORTAGE REPORT. (a) Requires a retail public utility and each entity from which the utility is obtaining wholesale water service for the utility's retail system to notify the Texas Commission on Environmental Quality (TCEQ) when the utility or entity is reasonably certain that the water supply will be available for less than 180 days.

(b) Requires TCEQ to adopt rules to implement this section and prescribe the form and content of notice required under this section.

SECTION 2. Effective date: September 1, 2013.