

## **BILL ANALYSIS**

Senate Research Center  
78R11742 MI-F

H.B. 2660  
By: Puente (Lucio)  
Natural Resources  
5/9/2003  
Engrossed

### **DIGEST AND PURPOSE**

In 2002, the Texas Commission on Environmental Quality (TCEQ) attempted to survey 502 municipal water suppliers regarding the effectiveness of the water conservation plans required under Section 11.1271, Water Code. One hundred twenty-four of the water suppliers were unable to complete the survey, with many informing the TCEQ that they were either not aware they had a water conservation plan or could not locate it. Of the 378 suppliers that completed the survey, 88 percent did not have a quantifiable water conservation goal and a time frame for reaching it. H.B. 2660 establishes minimum levels of water conservation in water conservation plans.

### **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 11.1271, Water Code, by amending Subsection (c) and adding Subsections (d), (e), and (f), as follows:

(c) Requires all water conservation plans required under this section, beginning May 1, 2005, to include specific, quantified 5-year and 10-year targets for water savings. Requires the entity preparing the plan to establish the targets. Requires the targets to include goals for water loss programs and goals for municipal use in gallons per capita per day.

(d) Requires the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) jointly to identify quantified target goals for water conservation that water suppliers and other entities may use as guidelines in preparing water conservation plans. Provides that goals established under this subsection are not enforceable requirements.

(e) Requires TCEQ and TWDB jointly to develop model water conservation programs for different types of water suppliers that suggest best management practices for achieving the highest practicable levels of water conservation and efficiency achievable for each specific type of water supplier.

(f) Requires TCEQ to adopt rules establishing criteria and deadlines for submission of water conservation plans, including any required amendments, and for submission of implementation reports.

SECTION 2. Amends Section 15.106, Water Code, by adding Subsection (b-1), to require all water conservation plans required under this section, beginning May 1, 2005, to include specific, quantified 5-year and 10-year targets for water savings. Requires the entity preparing the plan to establish the targets. Requires targets to include goals for water loss programs and goals for municipal use in gallons per capita per day.

SECTION 3. Amends Section 17.125, Water Code, by adding Subsection (b-1) to require all

water conservation plans required under this section, beginning May 1, 2005, to include specific, quantified 5-year and 10-year targets for water savings. Requires the entity preparing the plan to establish the targets. Requires targets to include goals for water loss programs and goals for municipal use in gallons per capita per day.

SECTION 4. Amends Section 17.277, Water Code, by adding Subsection (b-1) to require all water conservation plans required under this section, beginning May 1, 2005, to include specific, quantified 5-year and 10-year targets for water savings. Requires the entity preparing the plan to establish the targets. Requires targets to include goals for water loss programs and goals for municipal use in gallons per capita per day.

SECTION 5. Amends Section 17.857, Water Code, by adding Subsection (b-1) to require all water conservation plans required under this section, beginning May 1, 2005, to include specific, quantified 5-year and 10-year targets for water savings. Requires the entity preparing the plan to establish the targets. Requires targets to include goals for water loss programs and goals for municipal use in gallons per capita per day.

SECTION 6. Requires TCEQ and TWDB, not later than September 1, 2004, to take the actions necessary to comply with Section 11.1271, Water Code, as amended by this Act.

SECTION 7. (a) Effective date: upon passage or September 1, 2003.

(b) Provides that the change in law made by this Act to Section 11.1271, Water Code, applies to a holder of an existing permit, certified filing, or certificate of adjudication as described in Section 11.1271(b), Water Code, regardless of whether the permit, certified filing, or certificate of adjudication is obtained before, on, or after that date.

(c) Provides that the changes in law made by this Act to Sections 15.106, 17.125, 17.277, and 17.857, Water Code, apply only to applications for financial assistance filed with the Texas Water Development Board on or after the effective date of this Act.