

**BILL ANALYSIS**

Senate Research Center  
78R8254 MI-F

S.B. 1040  
By: Averitt  
Natural Resources  
4/1/2003  
As Filed

**DIGEST AND PURPOSE**

As proposed, S.B. 1040 repeals Sections 11.085(s) and (t) of the Texas Water Code related to inter-basin transfers of water. Repealing those sections will allow transfer of water from one river basin to another basin to maintain the priority date assigned to the water right that is the subject of the transfer.

**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. LEGISLATIVE FINDINGS AND DECLARATION OF POLICY. (a) - (g) Set forth legislative findings relating to the repeal of the junior priority of a water right authorizing a transfer of water from one river basin in this state to another river basin in this state.

SECTION 2. Repealers: Sections 11.085(s) and (t), Water Code (relating to any proposed transfer of all or a portion of a water right).

SECTION 3. APPLICABILITY. (a) - (b) Make application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2003.