

## **BILL ANALYSIS**

Senate Research Center  
83R29957 E

C.S.H.B. 2133  
By: Larson; Villalba (Uresti)  
Natural Resources  
5/17/2013  
Committee Report (Substituted)

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

Texas is currently in one of the greatest and most oppressive droughts on record, to the extent that, during the worst part of the drought, nearly all of the state was classified as under extreme or exceptional drought. Many Texans believe that desalination, the process by which most of the salt and other minerals are removed from salty and brackish water, is a viable solution to addressing Texas's water needs. Desalination has a proven history in Texas and several desalination facilities across Texas are producing millions of gallons of water per day. Water reuse also has become a viable option for nonpotable uses throughout the nation, and the 2012 State Water Plan, adopted by the Texas Water Development Board, recommends obtaining new water supplies through the water reuse strategy.

C.S.H.B. 2133 seeks to raise the profile of innovative and alternative water treatment technologies, particularly desalination and reuse, and to expand the limited view of water resources into larger interests that will fulfill the water needs of Texas. It does so by listing these two options among the policy strategies endorsed by the state.

C.S.H.B. 2133 amends current law relating to the public policy for the use of innovative and alternative water treatment technologies for water development purposes and to the establishment of the Texas Center for Innovative Desalination Technology.

### **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 1.003, Water Code, as follows:

Sec. 1.003. PUBLIC POLICY. Provides that it is the public policy of the state to provide for the conservation and development of the state's natural resources, including:

(1)-(6) Makes no change to these subdivisions;

(7)-(8) Makes nonsubstantive changes;

(9) the facilitation of the efficient and effective use of innovative and alternative water treatment technologies whenever possible to meet the natural resource needs of this state; and

(10) the promotion of direct reuse of reclaimed water for nonpotable purposes whenever possible to enhance and preserve the state's freshwater supply.

SECTION 2. Amends Chapter 111, Education Code, by adding Subchapter J, as follows:

#### **SUBCHAPTER J. TEXAS CENTER FOR INNOVATIVE DESALINATION TECHNOLOGY**

Sec. 111.131. DEFINITIONS. Defines, in this subchapter, “boards” and “center.”

Sec. 111.132. ESTABLISHMENT. (a) Provides that the Texas Center for Innovative Desalination Technology (center) is established as a partnership between the University of Houston, The University of Texas at Brownsville, and The University of Texas at El Paso.

(b) Provides that the organization, control, and management of the center are vested in the board of regents of the University of Houston System and the board of regents of The University of Texas System (boards), and the respective institutions are required to execute a memorandum of understanding for that purpose.

(c) Requires the center to be hosted by the University of Houston’s Cullen College of Engineering, The University of Texas at Brownsville’s College of Science, Mathematics, and Technology, and The University of Texas at El Paso’s Center for Inland Desalination Systems. Requires that participation in the center’s activities to be open to any faculty or staff member of each host university who is an active researcher in the field of water desalination, engineering, hydrology, biology, water supply development, or energy efficiency, or in another relevant field as determined by the boards.

Sec. 111.133. PURPOSE. Provides that the center is created to:

(1) promote interdisciplinary research, education, and training for the development of state-of-the-art products, materials, systems, and technologies designed for the desalination of seawater from the Gulf of Mexico and brackish water within surface and groundwater resources of the state; and

(2) develop cost-effective, energy-efficient, and environmentally sound water desalination, brine disposal, and water conveyance technologies that can enhance the potential for desalinated water to contribute toward the state’s long-term water portfolio.

Sec. 111.134. POWERS AND DUTIES. Requires the center to:

(1) collaborate with appropriate international, federal, state, and local agencies and private business or nonprofit entities as necessary to develop innovative desalination technologies;

(2) research and develop innovative seawater and brackish water desalination technologies, including pretreatment technologies and improvements, that are energy efficient and cost effective, minimize environmental impacts, and offer long-term water supply solutions for the state;

(3) research and develop brine disposal and reuse methods and technologies;

(4) research and develop water conveyance systems and technologies that are authorized to be used to transport desalinated water to target use population;

(5) develop test facilities for evaluating the performance of new products, materials, or techniques;

(6) develop specifications and standards for products used for desalinating water, conveying water, and disposing of brine;

(7) provide public information, education, and outreach regarding desalination technologies and appropriate uses and conservation methods for desalinated water; and

(8) provide data, recommendations, and any other information necessary relating to desalination for local, regional, or statewide water planning programs and processes.

Sec. 111.135. COLLABORATION WITH OTHER ENTITIES. Requires the University of Houston, The University of Texas at Brownsville, and The University of Texas at El Paso to encourage public and private entities to participate in or support the operation of the center and are authorized to enter into an agreement with any public or private entity for that purpose. Authorizes an agreement to allow the center to provide information, services, or other assistance to an entity in exchange for the entity's participation or support.

Sec. 111.136. GIFTS AND GRANTS. Authorized the boards to solicit, accept, and administer gifts and grants from any public or private source for the purposes of the center.

Sec. 111.137. PERSONNEL. Authorizes the boards to employ personnel for the center as necessary.

Sec. 111.138. EXPIRATION. Provides that this chapter expires September 1, 2023.

SECTION 3. Effective date: September 1, 2013.