

BILL ANALYSIS

Senate Research Center
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H.B. 137
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Water & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Dam Safety Program of the Texas Commission on Environmental Quality (TCEQ) monitors and regulates both private and public dams across the State of Texas. With periodic inspections, TCEQ maintains a hazard classification for dams and makes recommendations for dams that pose a high or significant hazard. Of the 7,287 dams in Texas regulated by TCEQ, about 1,400 are classified as high-hazard dams whose failure could result in the loss of seven or more lives or excessive economic loss. About 350 dams are classified as significant-hazard dams whose failure could result in the loss of six or fewer lives or appreciable economic loss.

H.B. 137 requires TCEQ to provide a report of a dam that has a high or significant hazard classification to the emergency management director, or the emergency management director's designee, for the municipality or county in which the dam is located and the executive director or equivalent position of each council of government or local or regional development council for the area in which the dam is located. H.B. 137 also requires TCEQ to create a biannual report on each dam that has had a change in classification to high or significant hazard classification to the emergency management director, or the emergency management director's designee, and the executive director or equivalent position of each council of government or local or regional development council for which the dam is located.

H.B. 137 amends current law relating to reports by the Texas Commission on Environmental Quality about dams that have certain hazard classifications.

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 12.052, Water Code, by adding Subsections (e-3), (e-4), and (e-5), as follows:

(e-3) Provides that, for purposes of this subsection, the emergency management director for a municipality or county is the person designated that political subdivision's emergency management director by Section 418.1015 (Emergency Management Directors), Government Code. Requires the Texas Commission on Environmental Quality (TCEQ) to provide a report of a dam that has a hazard classification of high or significant to:

- (1) the emergency management director, or the emergency management director's designee, for the municipality or county in which the dam is located; and
- (2) the executive director or equivalent position of each council of government or local or regional development council for the area in which the dam is located.

(e-4) Requires TCEQ to make a report as described by Subsection (e-3) not later than the 30th day after the date of the designation of a dam as a high or significant hazard classification. Requires the report to include the hazard classification and condition status

for each dam that has had a change in hazard classification located in the political subdivision.

(e-5) Requires TCEQ to provide a biannual report including condition status and other information on each dam with a hazard classification of high or significant to the emergency management director, or the emergency management director's designee, of each municipality and county and the executive director or equivalent position of each council of government or local or regional development council in which a dam included in the report is located.

SECTION 2. Requires TCEQ, for each dam that, as of the effective date of this Act, the executive director of TCEQ maintains a classification of high or significant hazard, to provide a report regarding the hazard classification and condition status of the dam to the emergency management director, or the emergency management director's designee, of each municipality and county and the executive director or equivalent position of each council of government or local or regional development council in which the dam is located as provided by Section 12.052(e-3), Water Code, as added by this Act. Requires each report to be provided as soon as practicable and not later than March 1, 2020.

SECTION 3. Effective date: September 1, 2019.