

By: Frank

H.B. No. 2264

A BILL TO BE ENTITLED

AN ACT

relating to the priority applicable to certain interbasin transfers of water.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.085(s), Water Code, is amended to read as follows:

(s) Any proposed transfer of all or a portion of a water right under this section is junior in priority to water rights granted before the time application for transfer is accepted for filing. This subsection does not apply to a transfer of water between the following entities:

(1) a water control and improvement district that:

(A) has boundaries that are coextensive with the boundaries of a municipality with a population of more than 700,000; and

(B) is located in a river basin with a population of more than six million; and

(2) a municipality that:

(A) has a population of more than 100,000; and

(B) is located in the basin of a river that:

(i) forms a boundary between this state and another state; and

(ii) does not flow into the Gulf of Mexico at a point located in this state.

1 SECTION 2. (a) This Act applies only to an application for
2 a water right or an amendment to a permit, certified filing, or
3 certificate of adjudication authorizing an interbasin transfer of
4 water that is accepted for filing on or after the effective date of
5 this Act.

6 (b) An application for a water right or an amendment to a
7 permit, certified filing, or certificate of adjudication
8 authorizing an interbasin transfer of water that is accepted for
9 filing before the effective date of this Act is governed by the law
10 in effect at the time the application is accepted for filing, and
11 the former law is continued in effect for that purpose.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.