

Dear GEAA members and friends,

As promised, here is the [report on how the bills on GEAA's legislative agenda](#) fared during the 83rd session.

I am so pleased to report that all 15 of the "Bills We Hate" failed. Thank you so much for your calls, letters, and testimony! Your voice was heard, and [our influence recognized](#). Five of these bad bills did make it to the Calendars Committee, which means we will have to watch out for them next session.

Of 27 versions of the "Bills We Love", eight passed! The following bills are already passed into law:

✓ [SB 567 – Watson, Nichols](#) - transfers the economic regulation of investor owned water utilities from TCEQ to the Public Utility Commission; ends the one-size-fits all ratemaking treatment by establishing classifications according to connection count; and gives the Office of Public Utility Counsel standing to intervene in ratecases for residential and small business customers. **Status: Filed without the Governor's signature, to be effective on 09/01/13**

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✓ [HB 597 – Guillen](#) – This bill would require the Texas Department of Parks and Wildlife to include information about preventing the spread of exotic harmful aquatic plants, fish, and shellfish in boater education courses. **Status: Effective immediately (05/24/2013)**

The following are awaiting the signature of Governor Perry:

✓ [HB 857 – Lucio III](#) - relating to the frequency of water audits by certain retail public utilities. This bill would require all retail public utilities providing potable water to perform and file with the Texas Water Development Board annual water audits computing the utility's system water loss during the preceding year. It directs the TWDB to develop rules for these audits, and to compile this information according to regional water planning area. It further directs the regional water planning groups to use this information to identify appropriate water management strategies, recognizing conservation that could be achieved by addressing water loss as a significant measure to address future water needs. **Status: Sent to the Governor (05/25/2013)**

✓ [SB 198 – Watson](#) and [H.B. 449 - Dukes](#) - allows for the installation of more drought-proof landscapes and limits homeowners associations' power to prohibit installation of

xeriscaped and more water efficient yards and landscapes and rainwater collection systems. **Status: SB 198 sent to the Governor (05/25/2013)** *Thanks to your calls to the Calendars Committee, this great bill was scheduled for a vote during the last days of the session and ultimately passed!*

✓ HB 252 – Larson and SB 1170 - Hegar would mandate that water suppliers send a report to TCEQ if they are reasonably certain that they have less than six months of water left at their disposal. This will ensure that TCEQ has sufficient time to help water suppliers to locate alternative sources of water. **Status: HB 252 sent to the Governor (05/20/2013)**

✓ HB 1241 - Guillen aimed at curbing the spread of invasive species through boating practices. **Status: Sent to the Governor (05/23/2013)**

✓ HB 1182 – Kacal and SB 700 – Hegar – would require each state agency and institution of higher education to set percentage goals for reducing the agency's or institution's use of water, electricity, gasoline, and natural gas and include those goals in the agency's or institution's comprehensive energy and water management plan.

Status: HB 1182 companion considered in lieu of in committee (04/15/2013); SB 700 sent to the Governor (05/28/2013)

✓ HB 1554 – Rodriguez, Justin – enables a municipality to abate violations of floodplain management ordinances by empowering the municipality to require the work necessary to bring real property into compliance and allowing the municipality to assess the costs incurred against the property and file a lien against the property to recover costs, file suit to foreclose the lien and recover unpaid costs and interest. **Status: Sent to the Governor (05/22/2013)**

Of the remaining “Bills We Love”, five died in the Calendars Committee while waiting to be scheduled for a vote, and the rest never made it out of the committees to which they were assigned. We will work to get these resurrected and passed during the 84th.

You will have a chance to vote on funding the State Water Plan. HB 4 takes effect on 09/01/2013, except Sections 2.01-2.07, 2.13-2.18, and 2.21-2.26, which will take effect only if SJR 1 is approved by the voters.

Thanks the unflagging work of a great team of environmental lobbyists coordinating our efforts, HB 4:

- Requires the TWDB to undertake to apply not less than 20% of the money disbursed in each five-year period to support projects, including agricultural irrigation projects, that are designed for water conservation or reuse

- Requires the TWDB to undertake to apply not less than 10% of the money disbursed in each five-year period to support projects for rural political subdivisions or agricultural water conservation

- Prohibits the use of state financial assistance for a water project if the applicant has failed to submit or implement a water conservation plan
- Requires regional water planning groups in their prioritization of projects for state financial assistance to consider at a minimum such factors as the feasibility, viability, sustainability, and cost-effectiveness of a project – factors which should work in favor of conservation projects
- Requires TWDB in its process for prioritization of projects to receive state financial assistance to consider (among other criteria) the demonstrated or projected effect of the project on water conservation, including preventing the loss of water (taking into consideration whether the applicant has filed a water audit that demonstrates the applicant is accountable with regard to reducing water loss and increasing efficiency in the distribution of water) *Tip of the hat to the Lone Star Sierra Club for this report on HB 4 and for their stellar work on this bill.*

So, all in all, it was an exhausting, but successful, legislative session. We are working on a report card so that you can see how your representative voted on key issues.

As always, I can't thank you enough for your incredible response to the legislative alerts posted by GEAA during the past five months. I have it on good authority that your advocacy was the difference between life and death for certain of the bills on our agenda. This session proved that working together regionally definitely yields results!

Again, thank you!

Annalisa Peace
Executive Director
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