

WATER CODE

TITLE 2. WATER ADMINISTRATION

SUBTITLE A. EXECUTIVE AGENCIES

CHAPTER 8. SOUTHWESTERN STATES WATER COMMISSION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Southwestern States Water Commission.

(2) "Commissioner" means a member of the commission.

(3) "Board" means the Texas Water Development Board.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.001 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54) eff. Sept. 1, 1987. Renumbered from Sec. 6.001 and amended by Acts 1987, 70th Leg., ch. 977, Sec. 2, eff. June 19, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 2, eff. September 1, 2015.

SUBCHAPTER B. ORGANIZATIONAL AND ADMINISTRATIVE PROVISIONS

Sec. 8.011. CREATION OF COMMISSION. The Southwestern States Water Commission is created as an advisory commission to the governor and the legislature.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.011 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54) eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 3, eff. September 1, 2015.

Sec. 8.013. COMMISSIONERS; APPOINTMENT. (a) The commission is composed of three commissioners as follows:

(1) the governor or the governor's designee;

(2) a member of the standing committee of the house of

representatives that has jurisdiction over natural resources, appointed by the governor; and

(3) a member of the standing committee of the senate that has jurisdiction over water issues, appointed by the governor.

(b) The governor or the governor's designee shall act as the official representative of this state on the commission and shall exercise all powers and duties of this state as a member of the commission.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.013 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 1170, Sec. 46.01, eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 4, eff. September 1, 2015.

Sec. 8.015. TERMS. (a) The two appointed commissioners serve staggered terms of four years, with the term of one appointed commissioner expiring on February 1 of each odd-numbered year.

(b) Each appointed commissioner serves until the commissioner's successor is appointed.

(c) A vacancy in an appointed position on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.015 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 1170, Sec. 46.02, eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 5, eff. September 1, 2015.

Sec. 8.016. CHAIRMAN. The governor or the governor's designee shall serve as chairman of the commission.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.016 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 6, eff. September 1, 2015.

Sec. 8.017. COMMISSION MEETINGS. (a) The commission shall meet at least quarterly on a day and at a place within the state selected by it.

(b) A meeting of the commission may be recessed at the discretion of the commission.

(c) The chairman or two commissioners may call a special meeting at any time by giving notice to the other commissioner or commissioners.

(d) The chairman shall preside at all meetings of the commission.

(e) A majority of the commissioners constitute a quorum to transact business of the commission.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985.

Renumbered from Sec. 6.017 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 7, eff. September 1, 2015.

Sec. 8.019. ADMINISTRATIVE SUPPORT. The board shall provide administrative support to the commission to assist the commission in carrying out this chapter.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985.

Renumbered from Sec. 6.019 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987. Renumbered from Sec. 6.019 and amended by Acts 1987, 70th Leg., ch. 977, Sec. 2, eff. June 19, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 8, eff. September 1, 2015.

Sec. 8.020. SPECIAL REPRESENTATIVES. In cooperating with or carrying out discussions with a particular state under Section

8.051 of this code or in negotiating with a particular state under Section 8.056 of this code, the commission may appoint one or more persons who reside within an area of this state that is adjacent to the particular state with which this state is cooperating, having discussions, or negotiating, and who are knowledgeable with regard to the water concerns of the adjacent state, to join the commission in the cooperative activity, discussions, or negotiations and to advise the commission.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.020 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987. Amended by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(55), eff. Sept. 1, 1987.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8.051. INTERACTION WITH OTHER STATES. (a) In cooperation with representatives of neighboring states, the commission may discuss the water needs of the region.

(b) The commission may initiate and carry out discussions with representatives of neighboring states relating to the identification and development of sources and methods of augmenting water supplies on a regional basis after existing water supplies are fully committed.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.051 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 9, eff. September 1, 2015.

Sec. 8.052. INTERACTION WITH MEXICO. The commission may confer with the government of Mexico concerning water needs and development of sources of water supply.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.052 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 10, eff. September 1, 2015.

Sec. 8.054. DESIGNATING WATER DEFICIENT AREAS. The commission shall designate areas of the state in which the present and future water supply is not sufficient to meet the future requirements of those areas, even after giving full consideration to the effects of water conservation in the projections of future needs.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.054 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Sec. 8.055. REPORTS. The commission shall make recommendations to the governor and to the legislature relating to potential water source areas and the necessary methods to bring the water to those areas in this state that need water.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.055 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Sec. 8.056. COMPACTS. The commission may contact and negotiate with other states regarding the need for establishing interstate compacts, addressing groundwater problems, needs, and supplies, if an aquifer underlies several states, and addressing other related subjects that would be beneficial to the states including the conservation and beneficial use of water.

Added by Acts 1985, 69th Leg., ch. 39, Sec. 1, eff. Sept. 1, 1985. Renumbered from Sec. 6.056 by Acts 1987, 70th Leg., ch. 167, Sec. 5.01(a)(54), eff. Sept. 1, 1987.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 451 (H.B. 163), Sec. 11, eff. September 1, 2015.