

By: Harris of Anderson, et al.

H.B. No. 2443

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain persons to petition a groundwater conservation district to change certain rules.

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

SECTION 1. Subchapter D, Chapter 36, Water Code, is amended by adding Section 36.1025 to read as follows:

Sec. 36.1025. PETITION TO CHANGE RULES. (a) A person with a real property interest in groundwater may petition the district where the property that gives rise to the real property interest is located to adopt a rule or modify a rule adopted under this chapter.

(b) The district by rule shall prescribe the form for a petition submitted under this section and the procedure for the submission, consideration, and disposition of the petition.

(c) Not later than the 90th day after the date the district receives the petition, the district shall:

(1) deny the petition and provide an explanation for the denial; or

(2) engage in rulemaking consistent with the granted petition.

(d) Nothing in this section may be construed to create a private cause of action for a decision to accept or deny a petition filed under this section.

SECTION 2. Not later than December 1, 2023, a groundwater conservation district shall adopt rules to implement Section

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1 36.1025, Water Code, as added by this Act.

2 SECTION 3. This Act takes effect September 1, 2023.