

By: Harris of Anderson

H.B. No. 2443

Substitute the following for H.B. No. 2443:

By: Price

C.S.H.B. No. 2443

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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