

By: Perry, Kolthorst

S.B. No. 2440

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain plats for the subdivision of land to include proof of groundwater supply.

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

SECTION 1. Section 212.0101(a), Local Government Code, is amended to read as follows:

(a) If a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land, the municipal authority responsible for approving plats by ordinance shall ~~may~~ require the plat application to have attached to it a statement that:

(1) is prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state; and

(2) certifies that adequate groundwater is available for the subdivision.

SECTION 2. Section 232.0032(a), Local Government Code, is amended to read as follows:

(a) If a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land, the commissioners court of a county by order shall ~~may~~ require the plat application to have attached to it a statement that:

(1) is prepared by an engineer licensed to practice in

1 this state or a geoscientist licensed to practice in this state; and  
2 (2) certifies that adequate groundwater is available  
3 for the subdivision.

4 SECTION 3. The changes in law made by this Act apply only to  
5 a plat application filed on or after the effective date of this Act.  
6 A plat application filed before the effective date of this Act is  
7 governed by the law in effect on the date the application was filed,  
8 and the former law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2023.