

By: Birdwell, et al.

S.B. No. 1145

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Commission on Environmental Quality to issue permits for the land application of water produced from certain mining and oil and gas extraction operations.

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

SECTION 1. Section 26.131, Water Code, as effective until delegation of authority under the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.) to the Railroad Commission of Texas, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) Except as provided by Subsections ~~[Subsection]~~ (d) and (e), the Railroad Commission of Texas may issue permits for the discharge of waste resulting from the activities described by Subsection (a), and the discharge of waste into water in this state resulting from those activities must meet the water quality standards established by the commission.

(e) The commission may issue permits for the land application of produced water resulting from activities described by Subsection (a) that has been treated for beneficial use. The commission shall adopt standards for the land application of water under this section, including standards that prevent the pollution of surface and subsurface water.

SECTION 2. Section 26.131, Water Code, as effective on delegation of authority under the Resource Conservation and

1 Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.) to the
2 Railroad Commission of Texas, is amended by amending Subsection (b)
3 and adding Subsection (d) to read as follows:

4 (b) Except as provided by Subsections [~~Subsection~~] (c) and
5 (d), the Railroad Commission of Texas may issue permits for the
6 discharge of waste resulting from the activities described by
7 Subsection (a), and the discharge of waste into water in this state
8 resulting from those activities must meet the water quality
9 standards established by the commission.

10 (d) The commission may issue permits for the land
11 application of produced water resulting from activities described
12 by Subsection (a) that has been treated for beneficial use. The
13 commission shall adopt standards for the land application of water
14 under this section, including standards that prevent the pollution
15 of surface and subsurface water.

16 SECTION 3. The change in law made by this Act applies only
17 to a permit, the application for which is filed on or after the
18 effective date of this Act. A permit, the application for which is
19 filed before the effective date of this Act, is subject to the law
20 in effect on the date the application is filed, and that law is
21 continued in effect for that purpose.

22 SECTION 4. This Act takes effect September 1, 2025.