

BILL ANALYSIS

S.B. 1639
By: Staples
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Chapter 36 of the Texas Water Code allows groundwater conservation districts to regulate the production of groundwater located within their boundaries. Many groundwater conservation districts in Texas have multiple aquifers or subdivisions of aquifers that are situated within the districts' boundaries which contain different and unique hydrogeological features. Other districts may contain a singular aquifer with widely differing characteristics from one side of the district to the other, such as a situation where one side of the district is located in an urban area with a high degree of groundwater production and experiencing land subsidence, while other areas of the district are more rural and have no significant groundwater usage and no land subsidence. As proposed, S.B. 1639 would clarify that groundwater conservation districts may adopt different well spacing or production limitations for distinct aquifers or subdivisions of aquifers within their boundaries, or for different geographic areas that exist within their boundaries if conditions in or use of an aquifer differ substantially from one geographic area of the district to another.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1639 amends Section 36.116, Water Code, by adding a new Subsection which allows a groundwater conservation district to determine that if conditions in or use of an aquifer differ substantially from one geographic area of the district to another, the district may adopt different rules for: (1) each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within the boundaries of the district; or (2) each geographic area overlying an aquifer or subdivision of an aquifer located in whole or in part within the boundaries of the district.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.