

By: Puente

H.B. No. 975

A BILL TO BE ENTITLED

AN ACT

relating to the plugging of abandoned or deteriorated water wells.

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

SECTION 1. Section 1901.053(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Section 1901.256, the [The] department shall deposit money collected under this chapter to the credit of the water well drillers account in the general revenue fund. Money deposited in that account under this section may be used only to administer this chapter.

SECTION 2. Subchapter F, Chapter 1901, Occupations Code, is amended by adding Section 1901.256 to read as follows:

Sec. 1901.256. WATER WELL PLUGGING ACCOUNT. (a) The department may assess a fee for each well drilled in an amount determined by department rule for the purpose of plugging abandoned or deteriorated wells.

(b) The department shall deposit a fee assessed under this section to the credit of the water well plugging account. The water well plugging account is an account in the general revenue fund that may be appropriated to the department only for the purpose of plugging abandoned or deteriorated wells. The department may allocate not more than 20 percent of the money in the account to cover administrative costs of the department. The account is exempt from the application of Section 403.095, Government Code.

1 (c) The department may use money in the account to plug an
2 abandoned or deteriorated well only if the department determines
3 that the landowner or other person possessing the well:

4 (1) cannot be located; or

5 (2) does not have sufficient assets to plug the well as
6 determined by criteria established by department rule.

7 SECTION 3. The fee authorized by Section 1901.256,
8 Occupations Code, as added by this Act, applies only to a water well
9 for which initial drilling operations begin on or after the date the
10 Texas Department of Licensing and Regulation adopts rules providing
11 for the assessment of the fee.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2003.