

BILL ANALYSIS

Senate Research Center

S.B. 1451
By: Averitt
Natural Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law does not require notice of priority groundwater management area designation to state legislators. It does not explicitly provide that one set of driller's logs can satisfy both the Texas Department of Licensing and Regulation's (TDLR) requirements and those of the groundwater conservation district (district). State law authorizes individual persons to loan funds to districts for creation and organization, but does not provide that a county or governmental entity is authorized to loan funds for this purpose.

As proposed, S.B. 1451 amends Chapters 35 and 36, Water Code, to update and clarify certain provisions related the management of groundwater resources in this state, including consistency between statutes governing districts and TDLR rules governing licensed water well drillers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to a groundwater management district in SECTION 2 (Section 36.111, Water Code) and SECTION 3 (Section 36.112, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 35.009(c), Water Code, to require the Texas Environmental Quality Commission (TCEQ) to give written notice of specific information pertaining to a hearing to each state senator and state representative who represents any part of the area proposed for designation as a priority groundwater management area and other specific entities.

SECTION 2. Amends Section 36.111, Water Code, to authorize a groundwater management district (district), by rule, to establish that the records and reports required by the Texas Department of Licensing and Regulation (TDLR) under its rules or Chapter 1901 (Water Well Drillers), Occupations Code, satisfy the requirements of this section.

SECTION 3. Amends Section 36.112, Water Code, to authorize a district, by rule, to establish that the drillers' logs required by the TDLR under its rules or Chapter 1901, Occupations Code, satisfy the requirements of this section.

SECTION 4. Amends Section 36.117(b), Water Code, to prohibit a district from requiring any permit issued for a monitoring well, as defined by Section 1901.001 (Definitions), Occupations Code.

SECTION 5. Amends Section 36.157(a), Water Code, to authorize a district to pay all costs and expenses necessarily incurred in the creation and organization of a district, and to reimburse any person or governmental entity, including a county, for money advanced for these purposes.

SECTION 6. Effective date: September 1, 2005.