

BILL ANALYSIS

C.S.H.B. 1699
By: Hilderbran
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, groundwater districts are the state's preferred method of groundwater management through rules developed, adopted, and promulgated by a district in accordance with the provisions of Chapter 36 of the Water Code. Groundwater districts are encountering some landowners who are wasting the groundwater reservoir for aesthetical appeal.

The purpose of this bill is to require a permit for the proposed use of water to enhance the appearance of landscape. C.S.H.B. 1699 relates to the power of a groundwater conservation district to regulate the use of groundwater.

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

SECTION 1. Amends Section 36.113(d) of the Water Code by adding a new Subdivision (5) to provide the proposed use of water is wholly or partly to provide water to a pond, lake, or reservoir to enhance the appearance of the landscape. Subdivisions are renumbered accordingly.

SECTION 2. Amends Section 36.117(d) of the Water Code adding a new Subdivision (1) to provide that withdrawals from a well exempted under Subsection (b) (1) are no longer used solely for domestic use or to provide water for livestock or poultry. Subdivisions are renumbered accordingly.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1699 deletes the revised definitions under Section 1 and deletes the language that authorizes the district to adopt and enforce rules that define waste to include activities or uses in addition to those included in the definition of waste provided by Section 36.001 (8).

Amends Section 36.113 (d) of the Water Code adding Subdivision (5) to provide the proposed use of water is wholly or partly to provide water to a pond, lake, or reservoir to enhance the appearance of the landscape. Amends Section 36.117(d) of the Water Code adding Subdivision (1) to read the withdrawals from a well exempted under Subsection (b) (1) are no longer used solely for domestic use or to provide water for livestock or poultry. The bill also renumbers Subdivisions accordingly.