

## **BILL ANALYSIS**

C.S.S.B. 714  
By: Fraser  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

With the increasing demands being placed on the water resources in Texas, the need to have an accurate understanding of the quantity of groundwater use is important. Several areas across Texas have experienced an increase in the use of groundwater through the use of new techniques, such as hydraulic fracturing or fracing, to obtain natural gas from geologic formations. Chapter 36 of the Texas Water Code establishes that groundwater conservation districts (districts) are the state's preferred method of groundwater management and the districts need the ability to gather information on the production and use of groundwater from water wells located within the boundaries of the districts.

C.S.S.B. 714 would clarify the authority of a groundwater conservation district to require the owner or operator of water wells that must be registered or permitted with the district, with the exception of certain domestic and livestock wells, to report the amount of groundwater withdrawn using reasonable and appropriate methods and frequency.

### **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 36.111, Water Code by creating subsection (a) from the existing text. Removes the provision in Section 36.111, Water Code, which establishes that groundwater conservation districts must require that records be kept and reports made of the drilling, equipping, and completing of water wells and of the production and use of groundwater and gives groundwater conservation districts the permissive authority to establish such requirements. Amends Section 36.111, Water Code, by adding Subsection (b) which grants groundwater conservation districts with the authority to adopt rules which require an owner or operator of a water well required to be registered or permitted with the district, except a water well exempt from permitting under Section 36.117(b)(1), to report groundwater withdrawals using reasonable and appropriate reporting methods and frequency.

SECTION 2. Provides that the Act is effective September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

In SECTION 1 of the committee substitute, proposed Section 36.111(b), Water Code, from SECTION 1 of the Engrossed version of S.B. 714 is amended to provide an exception for certain domestic and livestock water wells exempt from permitting under Section 36.117(b)(1), Water Code, to the groundwater withdrawal reporting requirements authorized by the bill. This exception for certain domestic and livestock wells was not included in the Engrossed version of the measure.