

By: Hegar

S.B. No. 2008

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the consideration by a groundwater conservation  
3 district of groundwater produced from exempt wells in issuing a  
4 permit.

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

6 SECTION 1. Section 36.113, Water Code, is amended by adding  
7 Subsection (j) to read as follows:

8 (j) In issuing a permit or permit amendment, a district  
9 operating under an adopted limit on available or managed available  
10 groundwater may consider the amount of groundwater actually  
11 produced by wells in the district that are exempt from the  
12 district's permitting requirements. The amount of groundwater  
13 actually produced from exempt wells:

14 (1) must be determined on the basis of technically  
15 reliable measurement; and

16 (2) may not be determined on the basis of any  
17 presumption or statutory limit.

18 SECTION 2. The change in law made by this Act applies only  
19 to a permit or permit amendment issued by a groundwater  
20 conservation district on or after the effective date of this Act. A  
21 permit or permit amendment issued before the effective date of this  
22 Act is governed by the law in effect on the date the permit or permit  
23 amendment is issued, and that law is continued in effect for that  
24 purpose.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2009.