

## **BILL ANALYSIS**

Senate Research Center  
82R13554 KJM-D

H.B. 444  
By: Creighton, Landtroop (Nichols)  
Natural Resources  
4/30/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, notification is given to certain entities when a permit application is filed for certain injection wells. The entities may then make recommendations regarding the permit application. H.B. 444 seeks to give notification of applications for permits for certain injection wells to a groundwater conservation district.

H.B. 444 amends current law relating to notification of applications for permits for certain injection wells.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 27.017, Water Code, as follows:

Sec. 27.017. RECOMMENDATIONS FROM OTHER ENTITIES. (a) Creates this subsection from existing text. Replaces the reference to the Texas Department of Health with the Department of State Health Services.

(b) Requires the executive director of the Texas Commission on Environmental Quality (executive director) if an application is received in proper form for a permit for an injection well to dispose of industrial and municipal waste and the proposed location of the injection well is in the territory of a groundwater conservation district, to submit a copy of the application to the governing body of the groundwater conservation district.

SECTION 2. Amends Section 27.018, Water Code, by adding Subsection (e), as follows:

(e) Requires that the record of the proceeding, in addition to the requirements of Subsection (c) (relating to requiring that evidence be placed in the record to demonstrate that proper notice regarding the hearing was given to affected persons), before any testimony is heard in a contested case regarding an application for a permit for an injection well to dispose of industrial and municipal waste that is proposed to be located in the territory of a groundwater conservation district, include evidence that:

(1) a copy of each draft permit proposed by the executive director was provided to the governing body of the groundwater conservation district; and

(2) notice of the contested case hearing was mailed to the governing body of the groundwater conservation district.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2011.