

BILL ANALYSIS

H.B. 2113
By: Price
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

H.B. 2113 seeks to address a redundant recommendation process by Texas Commission on Environmental Quality (TCEQ) of adding territory to an existing ground water conservation district when such a district has not materialized within a certain timeframe after TCEQ's initial recommendation.

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

H.B. 2113 amends the Water Code to require a groundwater conservation district created under general law in a priority groundwater management area to be composed of territory in two or more contiguous counties, unless the Texas Commission on Environmental Quality (TCEQ) determines that a district composed of territory in noncontiguous counties will result in more effective or efficient groundwater management than other options available to TCEQ.

H.B. 2113 creates an exception to such a creation of a district to authorize a district created under certain provisions relating to the creation of a groundwater conservation district for a priority groundwater management area to be composed of territory that exists in a single county only if the territory in the county is the only area in the designated priority groundwater management area that is not in a district or there are other areas in the designated priority groundwater management area but the other areas are not contiguous to the territory and TCEQ determines that creating a single district composed of two or more of the noncontiguous areas, including the territory, would result in less effective or less efficient management of groundwater resources in the territory than creating a district composed of the territory in the single county.

H.B. 2113 authorizes TCEQ, for purposes of the creation of a district in a priority groundwater management area, to consider territory in two separately designated priority groundwater management areas to be in the same designated priority groundwater management area if the two areas share a common boundary and one or more common aquifers and TCEQ determines that a district composed of territory in the two areas will result in more effective or efficient groundwater management than other options available to TCEQ.

H.B. 2113, in general provisions relating to the creation of a groundwater conservation district, authorizes a district to include all or part of two or more counties and one or more municipalities, districts, or other political subdivisions, rather than all or part of one or more counties, cities, districts, or other political subdivisions. The bill requires a district to be composed of territory in two or more contiguous counties unless TCEQ determines that a district composed of territory in noncontiguous counties will result in more effective or efficient groundwater management than other options available to TCEQ. The bill removes a provision prohibiting a district from including territory located in more than one county except on a majority vote of the voters

residing within the territory in each county sought to be included in the district at an election called for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.