

BILL ANALYSIS

H.B. 3109
By: Craddick
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Legislature recognizes the importance of an adequate water supply for the residents of Texas and through legislation has sought to encourage political subdivisions to plan for and finance their future water needs. Furthermore, the Texas Legislature through legislation has allowed certain municipalities and other political subdivisions to make long-range plans regarding the supply and availability of water. House Bill 3109 reaffirms the concept that groundwater production should also be encouraged to provide for conservation as well as the prevention of waste of groundwater. H.B. 3109 recognizes the importance of a local governmental entity's ability to manage its own resources to meet the needs of its citizens today and in the future.

House Bill 3109 amends Section 36.121 of the Texas Water Code to increase the population amount of a municipality from 100,000 or less to 115,000 or less.

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. 3109 amends Section 36.121 of the Water Code as follows: Except as provided by Section 36.117, a district that is created under this chapter on or after September 1, 1991, shall exempt from regulation under this chapter a well and any water produced or to be produced by a well that is located in a county that has a population of 14,000 or less if the water is to be used solely to supply a municipality that has a population of 121,000 or less and the rights to the water produced or to be produced from the well are owned by a political subdivision that is not a municipality, or by a municipality that has a population of 115,000 [~~100,000~~] or less, and that purchased, owned, or held rights to the water before the date on which the district was created, regardless of the date the well is drilled or the water is produced.

EFFECTIVE DATE

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