

BILL ANALYSIS

S.B. 430
By: Nichols
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Commission on Environmental Quality (TCEQ) will notify certain entities when usable groundwater has been or is being contaminated. The written notice of the contamination is given to the county judge and the county health officer in each county in which the contamination has occurred, any person suspected of contributing to the contamination, and any state agency with jurisdiction over any person suspected of contributing to the contamination.

S.B. 430 would add a groundwater conservation district to the list of notifications if the contamination has occurred or is occurring in the jurisdiction of the district.

As proposed, S.B. 430 amends current law relating to written notice to a groundwater conservation district of groundwater contamination.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Amends Section 5.236(a), Water Code, to require the executive director of the Texas Commission on Environmental Quality (executive director), if the executive director acquires information that confirms that a potential public health hazard exists because usable groundwater has been or is being contaminated, to, not later than the 30th day after the date on which the executive director acquires the information confirming contamination, give written notice of the contamination to certain parties, including a groundwater conservation district, if the contamination has occurred or is occurring in the jurisdiction of the district.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2011.