

By: Creighton

H.B. No. 444

Substitute the following for H.B. No. 444:

By: Price

C.S.H.B. No. 444

A BILL TO BE ENTITLED

AN ACT

relating to notification of applications for permits for certain injection wells.

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

SECTION 1. Section 27.017, Water Code, is amended to read as follows:

Sec. 27.017. RECOMMENDATIONS FROM OTHER ENTITIES. (a) The executive director shall submit to the [~~Texas~~] Department of State Health Services and to other persons which the commission may designate copies of every application received in proper form. These entities may make recommendations to the commission concerning any aspect of the application within 30 days.

(b) 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, the executive director shall submit a copy of the application to the governing body of the groundwater conservation district.

SECTION 2. Section 27.018, Water Code, is amended by adding Subsection (e) to read as follows:

(e) In addition to the requirements of Subsection (c), 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

1 territory of a groundwater conservation district, the record of the
2 proceeding must include evidence that:

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

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

8 SECTION 3. The changes in law made by this Act apply only in
9 regard to the provision of copies of and proceedings on an
10 application for a permit for an injection well to dispose of
11 industrial and municipal waste that is proposed to be located in the
12 territory of a groundwater conservation district that is received
13 in proper form by the Texas Commission on Environmental Quality on
14 or after the effective date of this Act.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2011.