

1-1 By: Creighton (Senate Sponsor - Nichols) H.B. No. 444  
1-2 (In the Senate - Received from the House April 7, 2011;  
1-3 April 20, 2011, read first time and referred to Committee on  
1-4 Natural Resources; May 4, 2011, reported favorably by the  
1-5 following vote: Yeas 9, Nays 0; May 4, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to notification of applications for permits for certain  
1-9 injection wells.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 27.017, Water Code, is amended to read as  
1-12 follows:

1-13 Sec. 27.017. RECOMMENDATIONS FROM OTHER ENTITIES. (a) The  
1-14 executive director shall submit to the [~~Texas~~] Department of State  
1-15 Health Services and to other persons which the commission may  
1-16 designate copies of every application received in proper form.  
1-17 These entities may make recommendations to the commission  
1-18 concerning any aspect of the application within 30 days.

1-19 (b) If an application is received in proper form for a  
1-20 permit for an injection well to dispose of industrial and municipal  
1-21 waste and the proposed location of the injection well is in the  
1-22 territory of a groundwater conservation district, the executive  
1-23 director shall submit a copy of the application to the governing  
1-24 body of the groundwater conservation district.

1-25 SECTION 2. Section 27.018, Water Code, is amended by adding  
1-26 Subsection (e) to read as follows:

1-27 (e) In addition to the requirements of Subsection (c),  
1-28 before any testimony is heard in a contested case regarding an  
1-29 application for a permit for an injection well to dispose of  
1-30 industrial and municipal waste that is proposed to be located in the  
1-31 territory of a groundwater conservation district, the record of the  
1-32 proceeding must include evidence that:

1-33 (1) a copy of each draft permit proposed by the  
1-34 executive director was provided to the governing body of the  
1-35 groundwater conservation district; and

1-36 (2) notice of the contested case hearing was mailed to  
1-37 the governing body of the groundwater conservation district.

1-38 SECTION 3. The changes in law made by this Act apply only in  
1-39 regard to the provision of copies of and proceedings on an  
1-40 application for a permit for an injection well to dispose of  
1-41 industrial and municipal waste that is proposed to be located in the  
1-42 territory of a groundwater conservation district that is received  
1-43 in proper form by the Texas Commission on Environmental Quality on  
1-44 or after the effective date of this Act.

1-45 SECTION 4. This Act takes effect immediately if it receives  
1-46 a vote of two-thirds of all the members elected to each house, as  
1-47 provided by Section 39, Article III, Texas Constitution. If this  
1-48 Act does not receive the vote necessary for immediate effect, this  
1-49 Act takes effect September 1, 2011.

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