

By: Callegari

H.B. No. 1755

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a groundwater conservation district to
3 adopt different rules for the management of groundwater resources
4 located in different areas of the district.

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

6 SECTION 1. Sections 36.001(6) and (7), Water Code, are
7 amended to read as follows:

8 (6) "Aquifer" or "groundwater" [~~"Groundwater"~~]
9 reservoir" means a specific subsurface water-bearing reservoir
10 having ascertainable boundaries containing groundwater.

11 (7) "Subdivision of an aquifer" or "subdivision" of a
12 groundwater reservoir" means a definable part of a groundwater
13 reservoir in which the groundwater supply will not be appreciably
14 affected by withdrawing water from any other part of the reservoir,
15 as indicated by known geological and hydrological conditions and
16 relationships and on foreseeable economic development at the time
17 the subdivision is designated or altered.

18 SECTION 2. Section 36.108(d), Water Code, is amended to
19 read as follows:

20 (d) Not later than September 1, 2010, and every five years
21 thereafter, the districts shall consider groundwater availability
22 models and other data or information for the management area and
23 shall establish desired future conditions for the relevant aquifers
24 within the management area. [~~In establishing the desired future~~

1 ~~conditions of the aquifers under this section, the districts shall~~
2 ~~consider uses or conditions of an aquifer within the management~~
3 ~~area that differ substantially from one geographic area to~~
4 ~~another.]~~ The districts may establish different desired future
5 conditions for[+]

6 [~~(1)~~] each aquifer, subdivision of an aquifer, or
7 geologic strata located in whole or in part within the boundaries of
8 the management area[~~, or~~

9 [~~(2)~~ ~~each geographic area overlying an aquifer in~~
10 ~~whole or in part or subdivision of an aquifer within the boundaries~~
11 ~~of the management area].~~

12 SECTION 3. Section 36.116(d), Water Code, is amended to
13 read as follows:

14 (d) For better management of the groundwater resources
15 located in a district [~~or if a district determines that conditions~~
16 ~~in or use of an aquifer differ substantially from one geographic~~
17 ~~area of the district to another],~~ the district may adopt different
18 rules for[+]

19 [~~(1)~~] each aquifer, subdivision of an aquifer, or
20 geologic strata located in whole or in part within the boundaries of
21 the district[~~, or~~

22 [~~(2)~~ ~~each geographic area overlying an aquifer or~~
23 ~~subdivision of an aquifer located in whole or in part within the~~
24 ~~boundaries of the district].~~

25 SECTION 4. This Act takes effect September 1, 2011.