

By: Craddick

H.B. No. 3109

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the rulemaking power of certain groundwater
3 conservation districts.

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

5 SECTION 1. Section 36.121, Water Code, is amended to read as
6 follows:

7 Sec. 36.121. LIMITATION ON RULEMAKING POWER OF DISTRICTS
8 OVER WELLS IN CERTAIN COUNTIES. Except as provided by Section
9 36.117, a district that is created under this chapter on or after
10 September 1, 1991, shall exempt from regulation under this chapter
11 a well and any water produced or to be produced by a well that is
12 located in a county that has a population of 14,000 or less if the
13 water is to be used solely to supply a municipality that has a
14 population of 121,000 or less and the rights to the water produced
15 from the well are owned by a political subdivision that is not a
16 municipality, or by a municipality that has a population of 115,000
17 [~~100,000~~] or less, and that purchased, owned, or held rights to the
18 water before the date on which the district was created, regardless
19 of the date the well is drilled or the water is produced. The
20 district may not prohibit the political subdivision or municipality
21 from transporting produced water inside or outside the district's
22 boundaries.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2011.