

1-1 By: Craddick (Senate Sponsor - Seliger) H.B. No. 3109
1-2 (In the Senate - Received from the House May 6, 2011;
1-3 May 9, 2011, read first time and referred to Committee on Natural
1-4 Resources; May 20, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 20, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3109 By: Seliger

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the rulemaking power of certain groundwater
1-11 conservation districts.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 36.121, Water Code, is amended to read as
1-14 follows:

1-15 Sec. 36.121. LIMITATION ON RULEMAKING POWER OF DISTRICTS
1-16 OVER WELLS IN CERTAIN COUNTIES. Except as provided by Section
1-17 36.117, a district that is created under this chapter on or after
1-18 September 1, 1991, shall exempt from regulation under this chapter
1-19 a well and any water produced or to be produced by a well that is
1-20 located in a county that has a population of 14,000 or less if the
1-21 water is to be used solely to supply a municipality that has a
1-22 population of 121,000 or less but greater than 100,000 and the
1-23 rights to the water produced from the well are owned by a political
1-24 subdivision that is not a municipality, or by a municipality that
1-25 has a population of 115,000 [~~100,000~~] or less but greater than
1-26 100,000, and that purchased, owned, or held rights to the water
1-27 before the date on which the district was created, regardless of the
1-28 date the well is drilled or the water is produced. The district may
1-29 not prohibit the political subdivision or municipality from
1-30 transporting produced water inside or outside the district's
1-31 boundaries.

1-32 SECTION 2. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2011.

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