

By: Uresti

S.B. No. 274

A BILL TO BE ENTITLED

AN ACT

relating to the regulation by groundwater conservation districts of certain wells.

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

SECTION 1. Section 36.117(d), Water Code, is amended to read as follows:

(d) Notwithstanding Subsections [~~Subsection~~] (b) and (c), a district may require a well to be permitted by the district and to comply with all district rules if:

(1) the withdrawals from a well in the Hill Country Priority Groundwater Management Area and exempted under Subsection (b)(1) are no longer used solely for domestic use or to provide water for livestock or poultry;

(2) the purpose of a well exempted under Subsection (b)(2) is no longer solely to supply water for a rig that is actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas; [~~or~~]

(3) the withdrawals from a well exempted under Subsection (b)(3) are no longer necessary for mining activities or are greater than the amount necessary for mining activities specified in the permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code; or

(4) the well is otherwise exempted under Subsection (b)(1) and is drilled within a management zone designated by a

1 district to protect alluvial zones, springs, and stream flows
2 within the watershed of the Frio, North Llano, Llano, South Llano,
3 West Nueces, Nueces, or San Saba River or a watershed within the
4 boundaries of the Hill Country Priority Groundwater Management
5 Area.

6 SECTION 2. The change in law made by this Act to Section
7 36.117(d), Water Code, applies only to a well for which drilling is
8 commenced on or after the effective date of this Act. A well for
9 which drilling is commenced before the effective date of this Act is
10 subject to the law in effect immediately before that date, and that
11 law is continued in effect for that purpose.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2011.