

1-1 By: Nichols S.B. No. 430
1-2 (In the Senate - Filed January 27, 2011; February 2, 2011,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 16, 2011, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 16, 2011, sent to printer.)

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

1-8 relating to written notice to a groundwater conservation district
1-9 of groundwater contamination.

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

1-11 SECTION 1. Subsection (a), Section 5.236, Water Code, is
1-12 amended to read as follows:

1-13 (a) If the executive director acquires information that
1-14 confirms that a potential public health hazard exists because
1-15 usable groundwater has been or is being contaminated, the executive
1-16 director, not later than the 30th day after the date on which the
1-17 executive director acquires the information confirming
1-18 contamination, shall give written notice of the contamination to
1-19 the following persons:

1-20 (1) the county judge and the county health officer, if
1-21 any, in each county in which the contamination has occurred or is
1-22 occurring;

1-23 (2) any person under the commission's jurisdiction who
1-24 is suspected of contributing to the contamination; ~~and~~

1-25 (3) any other state agency with jurisdiction over any
1-26 person who is suspected of contributing to the contamination; and

1-27 (4) a groundwater conservation district, if the
1-28 contamination has occurred or is occurring in the jurisdiction of
1-29 the district.

1-30 SECTION 2. This Act applies only to groundwater
1-31 contamination about which the executive director of the Texas
1-32 Commission on Environmental Quality acquires information on or
1-33 after the effective date of this Act. Groundwater contamination
1-34 about which the executive director of the Texas Commission on
1-35 Environmental Quality acquires information before the effective
1-36 date of this Act is governed by the law in effect on the date the
1-37 information is acquired, and the former law is continued in effect
1-38 for that purpose.

1-39 SECTION 3. This Act takes effect September 1, 2011.

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