

By: Seliger

S.B. No. 728

A BILL TO BE ENTITLED

AN ACT

relating to a groundwater conservation district's recovery of expenses in closing or capping a well.

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

SECTION 1. Section 36.118, Water Code, is amended by adding Subsections (e-1) and (e-2) to read as follows:

(e-1) Except as provided by Subsection (e-2), in addition to other remedies provided by law, the district is entitled to recover the district's attorney's fees, court costs, and reasonable expenses incurred in closing or capping the well from the owner of the land on which the well is located.

(e-2) An entity that drills a well to develop subsurface resources not owned by the landowner is liable for expenses incurred in closing or capping the well, unless the landowner assumes responsibility for the well.

SECTION 2. This Act takes effect September 1, 2011.