

By: Elkins

H.B. No. 1345

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Harris-Galveston Subsidence District to regulate certain water wells.

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

SECTION 1. Section 8801.152, Special District Local Laws Code, is amended to read as follows:

Sec. 8801.152. CERTAIN WELLS EXEMPT. (a) The regulatory provisions of this chapter do not apply to:

(1) a well regulated under Chapter 27, Water Code;

(2) a well with a casing diameter of less than five inches that serves only a single-family dwelling;

(3) a well that complies with Subsection (b); and

(4) [~~3~~] any other well as provided by board rule.

(b) Notwithstanding any district rules applicable to a well that serves only a single-family dwelling, a landowner may drill and operate a well if:

(1) the well is located on the same property on which the landowner's single-family dwelling is located;

(2) the well has a casing diameter of less than five inches and is drilled not deeper than 40 feet;

(3) water from the well is used only for outdoor watering of landscape plantings on the property; and

(4) the property served by the well has received Texas Wildscapes certification from the Parks and Wildlife Department.

1 SECTION 2. Section 8801.152(b), Special District Local Laws
2 Code, as added by this Act, applies only to a well for which
3 drilling is commenced on or after the effective date of this Act. A
4 well for which drilling is commenced before the effective date of
5 this Act is subject to the law in effect on the date drilling is
6 commenced, and that law is continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2013.