

By: Ashby

H.B. No. 2624

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the regulation of water wells under the jurisdiction of  
3 the Texas Commission of Licensing and Regulation to prevent  
4 groundwater pollution.

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

6 SECTION 1. Section 1901.001, Occupations Code, is amended  
7 by amending Subdivisions (1) and (14) and adding Subdivision (2) to  
8 read as follows:

9 (1) "Brackish groundwater" means groundwater that has  
10 a salinity of more than 1,000 milligrams per liter but not more than  
11 35,000 milligrams per liter.

12 (2) "Commission" means the Texas Commission of  
13 Licensing and Regulation.

14 (14) "Water well" means an artificial excavation  
15 constructed to explore for or produce groundwater, including  
16 brackish groundwater. The term does not include:

17 (A) a test or blast hole in a quarry or mine or a  
18 well or excavation constructed to explore for or produce oil, gas,  
19 or other minerals unless the hole is also used to produce  
20 groundwater; or

21 (B) an injection water source well regulated  
22 under Section 91.101, Natural Resources Code.

23 SECTION 2. Section 1901.052(a), Occupations Code, is  
24 amended to read as follows:

1 (a) The commission shall adopt rules as necessary to enforce  
2 this chapter, including rules governing:

3 (1) license applications;

4 (2) qualifications of applicants;

5 (3) standards of conduct for drillers, including  
6 standards for drilling, plugging, repairing, and completing water  
7 wells, and marking well drilling rigs and equipment; and

8 (4) procedures and practices before the department.

9 SECTION 3. The heading to Section 1901.251, Occupations  
10 Code, is amended to read as follows:

11 Sec. 1901.251. DRILLING WATER WELL; WELL LOG.

12 SECTION 4. Section 1901.251, Occupations Code, is amended  
13 by amending Subsection (a) and adding Subsection (a-1) to read as  
14 follows:

15 (a) A driller shall drill, deepen, or alter a well under  
16 standards and procedures adopted by the commission.

17 (a-1) Each driller who drills, deepens, or otherwise alters  
18 a water well in this state shall make and keep a legible and  
19 accurate well log in accordance with rules adopted by the  
20 commission and on forms prescribed by the executive director. The  
21 well log shall be recorded at the time of drilling, deepening, or  
22 otherwise altering the well and must contain:

23 (1) the depth, thickness, and character of the strata  
24 penetrated;

25 (2) the location of water-bearing strata;

26 (3) the depth, size, and character of casing  
27 installed; and

1           (4) any other information required by rules adopted by  
2 the commission.

3           SECTION 5. Section 1901.254(a), Occupations Code, is  
4 amended to read as follows:

5           (a) A driller shall notify the department and the landowner  
6 or person having a well drilled on encountering water, including  
7 brackish groundwater, injurious to vegetation, land, or other water  
8 and determining that the well must be plugged, repaired, or  
9 properly completed in order to avoid injury or pollution.

10          SECTION 6. Subchapter F, Chapter 1901, Occupations Code, is  
11 amended by adding Section 1901.258 to read as follows:

12          Sec. 1901.258. GROUNDWATER PROTECTION REQUIREMENTS. The  
13 commission shall adopt rules to establish groundwater protection  
14 requirements for drilling, plugging, repairing, and completing  
15 water wells under the jurisdiction of the commission that are  
16 consistent with rules adopted under Section 91.1015, Natural  
17 Resources Code, by the Railroad Commission of Texas, including  
18 rules relating to the depth of surface casing for wells.

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