

By: Martinez Fischer

H.B. No. 3718

A BILL TO BE ENTITLED

AN ACT

relating to the development, protection, and production of brackish aquifers.

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

SECTION 1. Subchapter B, Chapter 11, Water Code is amended by adding Section 11.054 to read as follows:

Sec. 11.054. BRACKISH AQUIFER. (a) The administration of rules concerning brackish aquifers shall be efficient, equitable, and provide sufficient uniformity to produce the highest and best use of resources from brackish aquifers.

(b) The highest and best use of brackish aquifers includes:

(1) The production of freshwater through desalination;

(2) The use of produced water for use in hydraulic fracturing.

(c) The development and production of natural resources in brackish aquifers in subsection (b) shall be given precedence over all other permitted uses of the brackish aquifer.

(d) It shall be the goal of the state of Texas to use resources from brackish aquifers to:

(1) reduce freshwater consumption from hydraulic fracturing, including promoting recycling of produced water;

(2) increase access to freshwater for agricultural, municipal, and industrial consumption.

H.B. No. 3718

1 SECTION 2. The effective date of this Act is September 1, 2013