

1-1 By: Hancock S.B. No. 434
 1-2 (In the Senate - Filed February 7, 2013; February 13, 2013,
 1-3 read first time and referred to Committee on Natural Resources;
 1-4 April 24, 2013, reported favorably by the following vote: Yeas 7,
 1-5 Nays 2; April 24, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14		X		
1-15			X	
1-16	X			
1-17	X			
1-18		X		

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the procedural requirements for action by the Texas
 1-22 Commission on Environmental Quality on applications for production
 1-23 area authorizations.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subsection (d), Section 27.0513, Water Code, is
 1-26 amended to read as follows:

1-27 (d) Notwithstanding Sections 5.551, 5.556, 27.011, and
 1-28 27.018, an application for an authorization submitted after
 1-29 September 1, 2007, is an uncontested matter not subject to a
 1-30 contested case hearing or the hearing requirements of Chapter 2001,
 1-31 Government Code[, unless the authorization seeks any of the
 1-32 following:

- 1-33 [~~(1) an amendment to a restoration table value,~~
- 1-34 [~~(2) the initial establishment of monitoring wells for~~
 1-35 ~~any area covered by the authorization, including the location,~~
 1-36 ~~number, depth, spacing, and design of the monitoring wells, unless~~
 1-37 ~~the executive director uses the recommendation of an independent~~
 1-38 ~~third-party expert chosen by the commission; or~~
- 1-39 [~~(3) an amendment to the type or amount of bond~~
 1-40 ~~required for groundwater restoration or by Section 27.073 to assure~~
 1-41 ~~that there are sufficient funds available to the state for~~
 1-42 ~~groundwater restoration or the plugging of abandoned wells in the~~
 1-43 ~~area by a third-party contractor].~~

1-44 SECTION 2. Subsections (e) and (f), Section 27.0513, Water
 1-45 Code, are repealed.

1-46 SECTION 3. The change in law made by this Act applies only
 1-47 to an application for an authorization that is submitted to the
 1-48 Texas Commission on Environmental Quality on or after the effective
 1-49 date of this Act. An application for an authorization that was
 1-50 submitted to the commission before the effective date of this Act is
 1-51 governed by the law in effect at the time the application was
 1-52 submitted, and the former law is continued in effect for that
 1-53 purpose.

1-54 SECTION 4. This Act takes effect immediately if it receives
 1-55 a vote of two-thirds of all the members elected to each house, as
 1-56 provided by Section 39, Article III, Texas Constitution. If this
 1-57 Act does not receive the vote necessary for immediate effect, this
 1-58 Act takes effect September 1, 2013.

1-59 * * * * *