

BILL ANALYSIS

Senate Research Center
84R5932 SGA-F

S.B. 611
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Agriculture, Water & Rural Affairs
3/10/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The specific problem being addressed by S.B. 611 is that groundwater withdrawal reports of water production from privately-owned or operated wells are not confidential and subject to public disclosure under Chapter 552 (Public Information), Government Code.

Current law does not require a groundwater conservation district to treat the information contained in groundwater withdrawal reports from privately owned or operated wells as confidential information, even if the private owner or operator of the well submits a written request to the groundwater conservation district to have the well's withdrawal reports treated as confidential information.

S.B. 611 treats the issue differently than current law by requiring a groundwater conservation district that receives a request for confidentiality and subsequently discloses groundwater production information contained in the groundwater withdrawal reports to release the information in a manner that prevents the identification of an individual well owner or operator or the parcel of land on which the well is located.

As proposed, S.B. 611 amends current law relating to the confidentiality of certain water well reports.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 36.111, Water Code, to read as follows:

Sec. 36.111. RECORDS AND REPORTS; CONFIDENTIALITY.

SECTION 2. Amends Section 36.111, Water Code, by adding Subsection (c), as follows:

(c) Provides that a groundwater withdrawal report submitted by the owner or operator of a privately owned water well to a district that requires withdrawal reporting under Subsection (b) (relating to the requirements that a water well owner to report groundwater withdrawals) is not subject to public disclosure under Chapter 552 (Public Information), Government Code, if the owner or operator of the well submits a written request to the district in which the well is located to have the well's withdrawal reports treated as confidential information. Authorizes a district that receives a request for confidentiality to release groundwater production information contained in the reports only if the information is summarized in a manner that prevents the identification of individual well owners or operators or the parcel of land on which a well is located. Provides that this subsection does not apply to a well that is owned or operated by a public entity, including a conservation and reclamation district operating under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI, Texas Constitution, or a municipality.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2015.