

## **BILL ANALYSIS**

Senate Research Center  
84R7594 SGA-F

S.B. 1440  
By: Campbell  
Agriculture, Water, & Rural Affairs  
4/14/2015  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The bill would expand the Barton Springs-Edwards Aquifer Groundwater Conservation District to cover areas that are currently unprotected and unmanaged in Hays County, known as “white zones.”

These white zones in Hays County have recently been the target of some who would like to pump groundwater completely unfettered and with no regard for neighboring wells or the long term health of our Central Texas Aquifers. By expanding the Barton Springs-Edwards Aquifer Groundwater Conservation District we hope to prevent similar problems from happening in the future.

As proposed, S.B. 1440 amends current law relating to the territory and authority of the Barton Springs-Edwards Aquifer Conservation District to regulate certain wells for the production of groundwater.

### **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 Subchapter A, Chapter 8802, Special District Local Laws Code, by adding Section 8802.0035, as follows:

Sec. 8802.0035. **SHARED TERRITORY; JURISDICTION.** (a) Provides that the territory of the Barton Springs-Edwards Aquifer Conservation District (district) includes any territory that is inside the boundaries of the Edwards Aquifer Authority and in Hays County.

(b) Provides that the Edwards Aquifer Authority has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer in the shared territory described by Subsection (a).

(c) Provides that the district has jurisdiction over any well that is drilled to produce water from any aquifer other than the Edwards Aquifer in the shared territory described by Subsection (a).

(d) Provides that the district has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer or any other aquifer in the territory described by Section 8802.003 (District Territory).

SECTION 2. Requires the board of directors of the district (board), as soon as practicable after the effective date of this Act, and in conformance with the requirements of Section 8802.053 (Single-Member Districts), Special District Local Laws Code, to revise the single-member districts as the board considers appropriate to reflect the changes in territory made by Section 8802.0035, Special District Local Laws Code, as added by this Act.

SECTION 3. (a) Provides that the legislature validates and confirms all acts and proceedings of the board that were taken before the effective date of this Act.

(b) Provides that Subsection (a) of this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court or has been held invalid by a final judgment of a court.

SECTION 4. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. Effective date: upon passage or September 1, 2015