

By: Cyrier

H.B. No. 3116

A BILL TO BE ENTITLED

AN ACT

relating to permit authority of the Lost Pines Groundwater Conservation District.

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

SECTION 1. Chapter 8849, Special District Local Laws Code, is amended by adding Sec. 8849.107 to read as follows:

Sec. 8849.107. Permits Issued for Historic Use. (a) In promulgating any rules limiting groundwater production, the district shall preserve historic use to the maximum extent practicable consistent with the district's management plan.

(b) The historic use period shall begin January 1, 2001 and end December 31, 2012, and the district shall issue historic use permits for permitted use during that historic use period.

(c) Historic use permits shall be issued in an amount equal to the maximum amount of groundwater actually withdrawn and placed to a beneficial use without waste during any one calendar year during the historic use period.

(d) The district may impose more restrictive permit conditions on new permit applications and permit amendment applications to increase use by historic users if the limitations:

(1) apply to all subsequent new permit applications and permit amendment applications to increase use by historic users, regardless of type or location of use;

(2) bear a reasonable relationship to the approved

1 district management plan; and

2 (3) are reasonably necessary to protect existing use.

3 (e) Historic use permits may form the basis of an operating  
4 permit but do not relieve the permittee from district regulations  
5 regarding beneficial use, conservation, waste or regulatory  
6 pumping fees, or any other district rules.

7 SECTION 2. EFFECTIVE DATE. This Act takes effect  
8 immediately if it receives a vote of two-thirds of all the members  
9 elected to each house, as provided by Section 39, Article III, Texas  
10 Constitution. If this Act does not receive the vote necessary for  
11 immediate effect, this Act takes effect on September 1, 2015.