

By: Guillen

H.B. No. 3675

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of commercial development of groundwater
in certain areas.

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

SECTION 1. Chapter 35, Water Code, is amended by adding
Section 35.021 to read as follows:

Sec. 35.021. COMMERCIAL DEVELOPMENT OF GROUNDWATER IN
CERTAIN ZONES. (a) In this section, "buffer zone" means an area
that extends twelve miles from the boundaries of an aquifer
encompassed by a groundwater conservation district that comprises
of four counties, is located not greater than one hundred miles from
the Gulf Coast, is located not greater than one hundred miles from
the Texas-Mexico international border, and is adjacent to a county
whose population is greater than 1.6 million.

(b) Notwithstanding an exemption from permitting that might
apply under the rules of a groundwater conservation district under
Section 36.117, a person who seeks to drill or operate a well
located in a buffer zone to produce groundwater for commercial
purposes must submit an application for approval to drill and
operate the well to the nearest geographically situated groundwater
conservation district in which the aquifer is located.

(c) The groundwater conservation district shall schedule,
post notice for, and conduct a public hearing for comments before
making a decision to approve or deny an application received under

1 Subsection (b).

2 (d) An application under this section must include the
3 likely effects of the well's proposed production amounts over the
4 25-year period that would begin on the expected date of first
5 production from the well including:

6 (1) potential adverse effects on the desired future
7 condition adopted by a groundwater conservation district for the
8 relevant aquifer under Section 36.108;

9 (2) population growth predicted for the surrounding
10 area;

11 (3) shortages of surface water or groundwater
12 resulting from a long-term drought;

13 (4) potential land subsidence;

14 (5) possible contamination of groundwater supplies;
15 and

16 (6) other issues groundwater conservation district
17 considers relevant.

18 (e) A well may be drilled and operated under this section
19 only if the application is approved by the applicable groundwater
20 conservation district, unless the well is exempt from permitting
21 under the district's rules.

22 SECTION 2. This Act applies only to a groundwater well for
23 which the drilling is begun on or after the effective date of this
24 Act. A well for which the drilling is begun before the effective
25 date of this Act is governed by the law in effect on the date the
26 drilling was begun, and that law is continued in effect for that
27 purpose.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2015.