

BILL ANALYSIS

S.B. 2068
By: Buckingham
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that there are a number of abandoned and deteriorated water wells that need to be capped or plugged within the Bandera County River Authority and Groundwater District as such wells present a hazard to groundwater. S.B. 2068 seeks to address this issue by providing the district certain authority to cap or plug these wells.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 2068 amends Chapter 654, Acts of the 71st Legislature, Regular Session, 1989, to authorize the Bandera County River Authority and Groundwater District to enter into a contract with a licensed water well driller to cap an open, uncovered, or abandoned well or plug and permanently close a deteriorated well. The bill authorizes a district employee to cap or plug and permanently close such wells but conditions the employee's authority to plug a well on the employee having received training in the proper method of plugging a well located in a karst topographic area. The bill authorizes the district to require the owner or lessee of land on which an open or uncovered well is located to keep the well permanently closed or capped as provided by certain groundwater conservation district provisions. The bill authorizes the district to use any money available to the district, including money from grants, fees, or tax revenues, to pay reasonable expenses incurred by the district in plugging or capping wells on land in the district under the bill's provisions. The bill establishes that the reasonable expenses constitute a lien on the land on which the well is located in accordance with certain groundwater conservation district provisions. The bill authorizes the district to enforce the bill's provisions against any person by injunction, mandatory injunction, or other appropriate remedy in a court of competent jurisdiction as provided by certain groundwater conservation district provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.