

By: Lucio III

H.B. No. 1318

Substitute the following for H.B. No. 1318:

By: Larson

C.S.H.B. No. 1318

A BILL TO BE ENTITLED

AN ACT

relating to regulation of production of wells for retail public utilities by a groundwater conservation district.

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

SECTION 1. Section 36.116(c), Water Code, is amended to read as follows:

(c) In regulating a retail public utility's [the] production of groundwater based on tract size or acreage, a district shall [~~may~~] consider the aggregate contiguous acreage owned or leased by the retail public utility in the district. A district shall also consider the aggregate contiguous acreage owned or leased by the retail public utility's customers inside the district if the customer dedicates its acreage for this purpose in an amount of acreage per customer sufficient to provide service to that customer, but not to exceed five acres per customer. The district may not include the acreage associated with a customer's permitted wells and registered wells with the aggregated acreage dedicated to the retail public utility [~~service needs or service area of a retail public utility~~]. The board shall record in its minutes the factors provided by this subsection considered by the district. For the purposes of this subsection:

(1) "Retail [~~"retail~~] public utility" has [~~shall have~~] the meaning assigned [~~provided~~] by Section 13.002.

(2) "Contiguous acreage" includes acreage connected

1 through a retail public utility's distribution system.

2 SECTION 2. This Act takes effect September 1, 2017.