

By: Lucio III

H.B. No. 2867

A BILL TO BE ENTITLED

AN ACT

relating to the contracts of the Edwards Aquifer recharge, storage,
and recovery projects.

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

SECTION 1. Sections 1.44(a), (b), and (c), Chapter 626,
Acts of the 73rd Legislature, Regular Session, 1993, are amended to
read as follows:

(a) The authority may contract with any investor-owned utility or political subdivision of the state under Chapter 791, Government Code, to provide for artificial recharge of the aquifer, through injection wells or with surface water subject to the control of the investor-owned utility or political subdivision, for the subsequent retrieval of the water by the investor-owned utility or political subdivision or its authorized assignees for beneficial use within the authority.

(b) The authority may not unreasonably deny a request to enter into a cooperative contract under this section if the investor-owned utility or political subdivision agrees to:

(1) file with the authority records of the injection or artificial recharge of the aquifer; and

(2) provide for protection of the quality of the aquifer water and of the rights of aquifer users in designating the location of injection wells or recharge dams, the methods of injection or recharge, and the location and type of retrieval

1 wells.

2 (c) The investor-owned utility or political subdivision
3 causing artificial recharge of the aquifer is entitled to withdraw
4 during any 12-month period the measured amount of water actually
5 injected or artificially recharged during the preceding 12-month
6 period, as demonstrated and established by expert testimony, less
7 an amount determined by the authority to:

8 (1) account for that part of the artificially
9 recharged water discharged through springs; and

10 (2) compensate the authority in lieu of users' fees.

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