

By: Perry

S.B. No. 774

A BILL TO BE ENTITLED

AN ACT

relating to extensions of an expired permit for the transfer of groundwater from a groundwater conservation district.

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

SECTION 1. Section 36.122, Water Code, is amended by adding Subsections (j-1) and (j-2) and amending Subsection (k) to read as follows:

(j-1) A term under Subsection (i) or (j) shall automatically be extended on or before its expiration:

(1) to a term that is not shorter than the term of an operating permit for the production of water to be transferred that is in effect at the time of the extension; and

(2) for each additional term for which that operating permit for production is renewed under Section 36.1145 or remains in effect under Section 36.1146.

(j-2) A permit automatically extended under Subsection (j-1) continues to be subject to conditions contained in the permit as issued before the automatic extension.

(k) Notwithstanding the period specified under Subsection ~~[in Subsections]~~ (i), ~~[and]~~ (j), or (j-1) during which water may be transferred under a permit, a district may periodically review the amount of water that may be transferred under the permit and may limit the amount if additional factors considered in Subsection (f) warrant the limitation, subject to Subsection (c). The review

1 described by this subsection may take place not more frequently
2 than the period provided for the review or renewal of regular
3 permits issued by the district. In its determination of whether to
4 renew a permit issued under this section, the district shall
5 consider relevant and current data for the conservation of
6 groundwater resources and shall consider the permit in the same
7 manner it would consider any other permit in the district.

8 SECTION 2. The changes in law made by this Act apply only to
9 the term of a permit issued under Sections [36.122\(i\)](#) and (j), Water
10 Code, that expires after September 1, 2017.

11 SECTION 3. This Act takes effect September 1, 2017.