By:  Guillen H.B. No. 3577

A BILL TO BE ENTITLED

AN ACT

relating to permits for the production of groundwater in a designated brackish groundwater production zone in the Brush Country Groundwater Conservation District.

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

SECTION 1.  Subchapter D, Chapter 8852, Special District Local Laws Code, is amended by adding Section 8852.109 to read as follows:

Sec. 8852.109.  EFFECTS OF PRODUCTION FROM DESIGNATED BRACKISH GROUNDWATER PRODUCTION ZONE. (a) In reviewing an application for proposed production of groundwater from a well located in a designated brackish groundwater production zone identified under Section 16.060(b)(5), Water Code, the district shall determine whether the proposed production would have a negative effect on:

(1)  the availability of water in the district;

(2)  the conditions of any aquifer that overlies the district;

(3)  subsidence in the district;

(4)  existing permit holders or other groundwater users in the district;

(5)  any applicable approved regional water plan or certified district management plan; and

(6)  the desired future conditions of the aquifers within the district and the managed available groundwater for the aquifers.

(b)  If the district determines under Subsection (a) that the proposed production would have a negative effect, the district may impose on the permit requirements or limitations, in addition to the conditions authorized by Chapter 36, Water Code, that are designed to minimize the effect.

SECTION 2.  The change in law made by Section 8852.109, Special District Local Laws Code, as added by this Act, applies only to an application for production from a well submitted to a groundwater conservation district on or after the effective date of this Act. An application submitted before the effective date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.