

By: Kuempel

H.B. No. 481

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the storage and recovery of water in a portion of the
3 Edwards Aquifer.

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

5 SECTION 1. Section 1.44, Chapter 626, Acts of the 73rd
6 Legislature, Regular Session, 1993, is amended by amending
7 Subsections (c) and (e) and adding Subsection (c-1) to read as
8 follows:

9 (c) Except as provided by Subsection (c-1), the [The]
10 political subdivision causing artificial recharge of the aquifer is
11 entitled to withdraw during any 12-month period the measured amount
12 of water actually injected or artificially recharged during the
13 preceding 12-month period, as demonstrated and established by
14 expert testimony, less an amount determined by the authority to:

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

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

18 (c-1) A political subdivision causing artificial recharge
19 of a portion of the aquifer that contains groundwater with a total
20 dissolved solids concentration of more than 5,000 milligrams per
21 liter is entitled to withdraw the measured amount of water actually
22 injected or artificially recharged.

23 (e) The authority may contract for injection or artificial
24 recharge under this section only if provision is made for

1 protecting and maintaining the quality of groundwater in the
2 receiving part of the aquifer, and:

3 (1) the water used for artificial recharge is
4 groundwater withdrawn from the aquifer; [~~or~~]

5 (2) the water is recharged through a natural recharge
6 feature; or

7 (3) the water is injected by a municipally owned
8 utility owned by the City of New Braunfels, and:

9 (A) the water has a total dissolved solids
10 concentration of less than 1,500 milligrams per liter and is not
11 domestic wastewater, municipal wastewater, or reclaimed water as
12 those terms are defined by 30 T.A.C. Chapter 210, effective October
13 31, 2018; and

14 (B) the injection well terminates in a portion of
15 the aquifer that contains groundwater with a total dissolved solids
16 concentration of more than 5,000 milligrams per liter.

17 SECTION 2. Section 27.051(i), Water Code, is amended to
18 read as follows:

19 (i) For purposes of this subsection, "Edwards Aquifer" has
20 the meaning assigned by Section 26.046(a). Except as otherwise
21 provided by this subsection, the [~~The~~] commission may not authorize
22 by rule or permit an injection well that transects or terminates in
23 the Edwards Aquifer. The commission by rule may authorize:

24 (1) injection of groundwater withdrawn from the
25 Edwards Aquifer; [~~or~~]

26 (2) injections of storm water, flood water, or
27 groundwater through improved sinkholes or caves located in karst

1 topographic areas; or

2 (3) injections of water made in accordance with
3 Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature,
4 Regular Session, 1993. [~~For purposes of this subsection, "Edwards~~
5 Aquifer" has the meaning assigned by Section [26.046\(a\)](#).]

6 SECTION 3. This Act takes effect September 1, 2019.