

By: King of Uvalde

H.B. No. 817

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a restriction on permits authorizing direct discharges
3 of waste or pollutants into water in certain areas of the Edwards
4 Aquifer.

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

6 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended
7 by adding Section 26.0462 to read as follows:

8 Sec. 26.0462. RESTRICTION ON PERMITS FOR DIRECT DISCHARGES
9 OF WASTE OR POLLUTANTS INTO WATER IN CERTAIN ZONES OF EDWARDS
10 AQUIFER. (a) The commission may not:

11 (1) issue a new permit authorizing the direct
12 discharge of waste or pollutants into any water in the contributing
13 zone associated with the portion of the recharge zone of the Edwards
14 Aquifer that is within the Nueces River basin; or

15 (2) amend a permit issued before September 1, 2019, to
16 authorize an increase in the amount of waste or pollutants that may
17 be directly discharged into any water described by Subdivision (1).

18 (b) This section does not affect the authority of the
19 commission to authorize stormwater and certain non-stormwater
20 discharges as specified in:

21 (1) the commission's individual permits for municipal
22 separate storm sewer systems; and

23 (2) the commission's general permits for stormwater
24 and associated non-stormwater discharges.

1 SECTION 2. The change in law made by this Act applies only
2 to an application for a permit or permit amendment that is submitted
3 to the Texas Commission on Environmental Quality on or after the
4 effective date of this Act. An application for a permit or permit
5 amendment that was submitted to the Texas Commission on
6 Environmental Quality before the effective date of this Act is
7 governed by the law in effect at the time the application was filed,
8 and the former law is continued in effect for that purpose.

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