

By: Ashby, Larson

H.B. No. 1066

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), (j-2), (r), and (s) and amending Subsection (k) to read as follows:

(j-1) A district shall extend a term under Subsection (i)(2) or (j) on or before its expiration in the manner prescribed by Section 36.1145:

(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 extended under Subsection (j-1) continues to be subject to conditions contained in the permit as issued before the 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)

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

9 (r) The district may grant or deny an application to extend  
10 a term under Subsection (i)(2) or (j) submitted under this section  
11 only using rules that were in effect at the time the application was  
12 submitted.

13 (s) An application to extend a term under Subsection (i)(2)  
14 or (j) is governed solely by district rules consistent with  
15 Subsection (j-1).

16 SECTION 2. The changes in law made by this Act apply only to  
17 the term of a permit issued under Sections 36.122(i) and (j), Water  
18 Code, that expires after September 1, 2019.

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