

1-1 By: Ashby, Larson (Senate Sponsor - Perry) H.B. No. 1066  
1-2 (In the Senate - Received from the House April 4, 2019;  
1-3 April 8, 2019, read first time and referred to Committee on Water &  
1-4 Rural Affairs; April 30, 2019, reported favorably by the following  
1-5 vote: Yeas 6, Nays 1; April 30, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Perry</u>	X		
1-9	<u>Creighton</u>	X		
1-10	<u>Alvarado</u>	X		
1-11	<u>Johnson</u>	X		
1-12	<u>Kolkhorst</u>		X	
1-13	<u>Rodríguez</u>	X		
1-14	<u>Taylor</u>	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to extensions of an expired permit for the transfer of  
1-18 groundwater from a groundwater conservation district.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 36.122, Water Code, is amended by adding  
1-21 Subsections (j-1), (j-2), (r), and (s) and amending Subsection (k)  
1-22 to read as follows:

1-23 (j-1) A district shall extend a term under Subsection (i)(2)  
1-24 or (j) on or before its expiration in the manner prescribed by  
1-25 Section 36.1145:

1-26 (1) to a term that is not shorter than the term of an  
1-27 operating permit for the production of water to be transferred that  
1-28 is in effect at the time of the extension; and

1-29 (2) for each additional term for which that operating  
1-30 permit for production is renewed under Section 36.1145 or remains  
1-31 in effect under Section 36.1146.

1-32 (j-2) A permit extended under Subsection (j-1) continues to  
1-33 be subject to conditions contained in the permit as issued before  
1-34 the extension.

1-35 (k) Notwithstanding the period specified under Subsection  
1-36 [in Subsections] (i), [and] (j), or (j-1) during which water may be  
1-37 transferred under a permit, a district may periodically review the  
1-38 amount of water that may be transferred under the permit and may  
1-39 limit the amount if additional factors considered in Subsection (f)  
1-40 warrant the limitation, subject to Subsection (c). The review  
1-41 described by this subsection may take place not more frequently  
1-42 than the period provided for the review or renewal of regular  
1-43 permits issued by the district. In its determination of whether to  
1-44 renew a permit issued under this section, the district shall  
1-45 consider relevant and current data for the conservation of  
1-46 groundwater resources and shall consider the permit in the same  
1-47 manner it would consider any other permit in the district.

1-48 (r) The district may grant or deny an application to extend  
1-49 a term under Subsection (i)(2) or (j) submitted under this section  
1-50 only using rules that were in effect at the time the application was  
1-51 submitted.

1-52 (s) An application to extend a term under Subsection (i)(2)  
1-53 or (j) is governed solely by district rules consistent with  
1-54 Subsection (j-1).

1-55 SECTION 2. The changes in law made by this Act apply only to  
1-56 the term of a permit issued under Sections 36.122(i) and (j), Water  
1-57 Code, that expires after September 1, 2019.

1-58 SECTION 3. This Act takes effect September 1, 2019.

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