

By: Campbell, Zaffirini

S.B. No. 520

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

(1) the water used for artificial recharge is groundwater withdrawn from the aquifer; ~~or~~

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

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

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

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

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

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

(1) injection of groundwater withdrawn from the Edwards Aquifer; ~~or~~

(2) injections of storm water, flood water, or 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.