

By: Hinojosa

S.B. No. 1842

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to permits for the production of groundwater in a  
3 designated brackish groundwater production zone in the Brush  
4 Country Groundwater Conservation District.

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

6 SECTION 1. Subchapter D, Chapter 8852, Special District  
7 Local Laws Code, is amended by adding Section 8852.109 to read as  
8 follows:

9 Sec. 8852.109. EFFECTS OF PRODUCTION FROM DESIGNATED  
10 BRACKISH GROUNDWATER PRODUCTION ZONE. (a) In reviewing an  
11 application for proposed production of groundwater from a well  
12 located in a designated brackish groundwater production zone  
13 identified under Section 16.060(b)(5), Water Code, the district  
14 shall determine whether the proposed production would have a  
15 negative effect on:

16 (1) the availability of water in the district;

17 (2) the conditions of any aquifer that overlies the  
18 district;

19 (3) subsidence in the district;

20 (4) existing permit holders or other groundwater users  
21 in the district;

22 (5) any applicable approved regional water plan or  
23 certified district management plan; and

24 (6) the desired future conditions of the aquifers

1 within the district and the managed available groundwater for the  
2 aquifers.

3 (b) If the district determines under Subsection (a) that the  
4 proposed production would have a negative effect, the district may  
5 impose on the permit requirements or limitations, in addition to  
6 the conditions authorized by Chapter 36, Water Code, that are  
7 designed to minimize the effect.

8 SECTION 2. The change in law made by Section 8852.109,  
9 Special District Local Laws Code, as added by this Act, applies only  
10 to an application for production from a well submitted to a  
11 groundwater conservation district on or after the effective date of  
12 this Act. An application submitted before the effective date is  
13 governed by the law in effect on the date the application was  
14 submitted, and the former law is continued in effect for that  
15 purpose.

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