

**House Bill 721**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<p>SECTION 1. Section 11.155, Water Code, is amended to read as follows:</p> <p>Sec. 11.155. <u>AQUIFER STORAGE AND RECOVERY AND AQUIFER RECHARGE REPORTS.</u> (a) <u>In this section:</u></p> <p><u>(1) "Aquifer recharge project" means a project involving the intentional recharge of an aquifer by means of an injection well authorized under Chapter 27 or other means of infiltration, including actions designed to:</u></p> <p><u>(A) reduce declines in the water level of the aquifer;</u></p> <p><u>(B) supplement the quantity of groundwater available;</u></p> <p><u>(C) improve water quality in an aquifer;</u></p> <p><u>(D) improve spring flows and other interactions between groundwater and surface water; or</u></p> <p><u>(E) mitigate subsidence.</u></p> <p><u>(2) "Aquifer storage and recovery project" has the meaning assigned by Section 27.151.</u></p> <p><u>(b) The board shall make studies, investigations, and surveys of the aquifers in the state [as it considers necessary] to determine the occurrence, quantity, quality, and availability of aquifers in which aquifer storage and recovery projects or aquifer recharge projects are feasible [water may be stored and subsequently retrieved for beneficial use].</u></p> <p><u>(c) The board, working with appropriate interested persons, including river authorities and major water providers and water utilities, regional water planning groups, groundwater conservation districts, and potential public sponsors of aquifer storage and recovery projects or aquifer recharge projects, shall:</u></p> <p><u>(1) conduct studies of aquifer storage and recovery projects and aquifer recharge projects identified in the state water plan or by interested persons; and</u></p>	<p>SECTION 1. Same as House version.</p>	

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(2) report the results of each study conducted under Subdivision (1) to regional water planning groups and interested persons.

(d) This subsection expires January 1, 2021. The board shall:

(1) conduct a statewide survey to identify the relative suitability of various major and minor aquifers for use in aquifer storage and recovery projects or aquifer recharge projects based on consideration of:

(A) hydrogeological characteristics, with a focus on:

(i) storage potential;

(ii) transmissivity;

(iii) infiltration characteristics;

(iv) storativity;

(v) recoverability; and

(vi) water quality;

(B) the frequency, volume, and distance from excess water available for potential storage; and

(C) the current and future water supply needs identified in the state water plan;

(2) prepare a report that includes an overview of the survey conducted under Subdivision (1); and

(3) not later than December 15, 2020, submit the report described by Subdivision (2) to the governor, lieutenant governor, and speaker of the house of representatives [The board shall undertake the studies, investigations, and surveys in the following order of priority:

[(1) areas designated by the commission as "priority groundwater management areas" under Section 35.008; and

[(2) other areas of the state in a priority to be determined by the board's ranking of where the greatest need exists].

SENATE VERSION (CS)

CONFERENCE

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No equivalent provision.	SECTION 2. The Texas Water Development Board is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.	
SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.	SECTION 3. Same as House version.	