

BILL ANALYSIS

H.B. 4532
By: Kacal
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

When setting the desired future conditions for a management area, groundwater conservation districts are required to consider the total estimated recoverable storage of an aquifer, which is the maximum amount of groundwater that may technologically be feasible to recover from the aquifer. H.B. 4532 seeks to provide districts with an additional volumetric data point to consider when setting their desired future conditions by providing for the consideration of the maximum amount of groundwater that may be produced annually in perpetuity from an aquifer.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4532 amends the Water Code to require groundwater conservation districts to consider modeled sustained groundwater pumping, if calculated by the executive administrator of the Texas Water Development Board, for each aquifer in the management area before voting on the proposed desired future conditions of the relevant aquifers within the management area. The bill removes the specification that the total estimated recoverable storage for an aquifer considered by a district be the storage as provided by the executive administrator.

H.B. 4532 prohibits the executive administrator from calculating the modeled sustained groundwater pumping for an aquifer or an aquifer that wholly or partly underlies an aquifer with a recharge rate such that an owner of land that overlies the aquifer qualifies or has previously qualified under federal tax law for a cost depletion deduction for the groundwater withdrawn from the aquifer for irrigation purposes.

H.B. 4532 defines "modeled sustained groundwater pumping" as the maximum amount of groundwater that the executive administrator, using the best available science, determines may be produced annually in perpetuity from an aquifer.

EFFECTIVE DATE

September 1, 2023.