2023S0280-1 03/09/23

By:  Schwertner S.B. No. 2379

A BILL TO BE ENTITLED

AN ACT

relating to the definition of the Edwards Aquifer for the purposes of an aquifer storage and recovery project.

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

SECTION 1.  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 that it includes only that portion of Williamson County west of Interstate Highway 35, running north from its intersection with State Highway 130, to the Williamson County Bell County line, and west of State Highway 130 running south from its intersection with Interstate Highway 35 to the Williamson County Travis County line. Except as otherwise provided by this subsection, 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(1)  injection of groundwater withdrawn from the Edwards Aquifer;

(2)  injections of storm water, flood water, or groundwater through improved sinkholes or caves located in karst topographic areas; or

(3)  injections of water made in accordance with Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993.

SECTION 2.  Section 27.0516(a)(1), Water Code, is amended to read as follows:

(1)  "Edwards Aquifer" means that portion of an arcuate belt of porous, waterbearing limestones composed of the Edwards Formation, Georgetown Formation, Comanche Peak Formation, Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, and Edwards Group, together with the Upper Glen Rose Formation where scientific studies have documented a hydrological connection to the overlying Edwards Group trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Kendall, Comal, Hays, and Travis Counties, and Williamson County west of Interstate Highway 35, running north from its intersection with State Highway 130, to the Williamson County Bell County line, and west of State Highway 130 running south from its intersection with Interstate Highway 35 to the Williamson County Travis County line [~~Counties~~]. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

SECTION 3.  Not later than December 1, 2023, the commission shall adopt or amend rules to implement the changes made by this Act.

SECTION 4.  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, 2023.