

By: Harris

H.B. No. 218

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of groundwater outside a groundwater conservation district's boundaries.

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

SECTION 1. Section 36.122, Water Code, is amended by adding Subsection (t) to read as follows:

(t) If an application for a permit or an amendment to a permit under Section 36.113 proposes the transfer of groundwater outside of a district's boundaries produced from a well capable of producing 25,000 gallons or more of groundwater a day, the district shall notify each other district located in that district's management area and may not issue the permit unless at least two-thirds of all the districts located in the district's management area approve the permit by a majority vote of each district's board. The board of each district shall consider the potential impact of the permit on the achievement of the desired future conditions adopted under Section 36.108 for the management area in determining whether to approve or deny the permit.

SECTION 2. Section 8863.103(c), Special District Local Laws Code, is amended to read as follows:

(c) The district may determine that a transfer of groundwater produced within the district's boundaries for use outside the district's boundaries will not be considered a transfer outside the district if the transfer[+]

1 ~~[(1) is for use as a potable water supply by a~~
2 ~~retail public utility and is within an authorized service area of~~
3 ~~which an appropriate portion, as determined by the district, is~~
4 ~~located inside the district's boundaries, or~~

5 ~~[(2)]~~ involves an emergency potable water
6 interconnect between retail public utilities.

7 SECTION 3. Section [36.122\(t\)](#), Water Code, as added by this
8 Act, applies only to a permit issued by a groundwater conservation
9 district on or after the effective date of this Act.

10 SECTION 4. This Act takes effect on the 91st day after the
11 last day of the legislative session.