

By: Nichols

S.B. No. 55

A BILL TO BE ENTITLED

AN ACT

relating to a groundwater study of certain aquifers underlying the territory of the Neches and Trinity Valleys Groundwater Conservation District by the Texas Water Development Board before the issuance of permits or permit amendments by the district.

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

SECTION 1. Subchapter C, Chapter 8863, Special District Local Laws Code, is amended by adding Section 8863.106 to read as follows:

Sec. 8863.106. STUDY; PERMIT MORATORIUM. (a) The Texas Water Development Board shall conduct a study to:

(1) analyze the annual maximum amount of groundwater that can be produced in perpetuity in the district from the aquifers underlying the district's territory without impeding the achievement of the desired future conditions adopted for those aquifers that are applicable to the territory of the district;

(2) compare the results of the analyses conducted under Subdivision (1) to the amount of modeled available groundwater determined by the executive administrator of the Texas Water Development Board before September 1, 2025, for each aquifer; and

(3) assess the hydrological effects in the district of proposed groundwater production in the district as represented in the applicable desired future conditions, and of transfers of

1 produced groundwater to areas outside of the district proposed in
2 any pending applications for a permit or permit amendment from the
3 district, and compare those effects with the hydrological effects
4 that would be expected if groundwater production in the district
5 were limited annually to the amount that could be produced in
6 perpetuity as determined under Subdivision (1).

7 (b) The hydrological effects assessed under Subsection
8 (a)(3) must include effects on average annual recharge, inflows,
9 discharges, spring flows, capture, and interaction between
10 groundwater and surface water in the district.

11 (c) Not later than January 12, 2027, the Texas Water
12 Development Board shall prepare and submit to the governor, the
13 lieutenant governor, the speaker of the house of representatives,
14 and each standing legislative committee with primary jurisdiction
15 over groundwater a report on the results of the study conducted
16 under this section.

17 (d) The district may not issue a new permit or permit
18 amendment to an applicant for the production and transfer out of the
19 district of groundwater until after the 270th day after the
20 deadline for the submission of the report required by Subsection
21 (c).

22 (e) This section expires November 1, 2027.

23 SECTION 2. Section 8863.106(d), Special District Local Laws
24 Code, as added by this Act, does not apply to a permit or a permit
25 amendment issued by the Neches and Trinity Valleys Groundwater
26 Conservation District before the effective date of this Act.

27 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect on the 91st day after the last day of the
5 legislative session.