

House Bill 27
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(c) Not later than January 12, 2027, the Texas Water Development Board shall prepare and submit to the governor, the lieutenant governor, the speaker of the house of

SENATE VERSION (IE)

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. (a) The Texas Water Development Board shall conduct a study to: [FA1(1)]

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

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

(c) Not later than January 12, 2027, the Texas Water Development Board shall prepare and submit to the governor, the lieutenant governor, the speaker of the house of

CONFERENCE

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HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p><u>representatives, and each standing legislative committee with primary jurisdiction over groundwater a report on the results of the study conducted under this section.</u></p> <p><u>(d) The district may not issue a new permit or permit amendment to an applicant for the production and transfer out of the district of groundwater until after the 270th day after the deadline for the submission of the report required by Subsection (c).</u></p> <p><u>(e) This section expires November 1, 2027.</u></p>	<p><u>representatives, and each standing legislative committee with primary jurisdiction over groundwater a report on the results of the study conducted under this section.</u></p> <p><u>(d) [Deleted by FA1(2)]</u></p> <p><u>(d) This section expires November 1, 2027. [FA1(3)]</u></p>	
<p>SECTION 2. Section 8863.106(d), Special District Local Laws Code, as added by this Act, does not apply to a permit or a permit amendment issued by the Neches and Trinity Valleys Groundwater Conservation District before the effective date of this Act.</p>	<p><u>No equivalent provision.</u> SECTION 2. [Deleted by FA1(4)]</p>	
<p>SECTION 3. 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 on the 91st day after the last day of the legislative session.</p>	<p>SECTION 3. Same as House version.</p>	