

BILL ANALYSIS

Senate Research Center

H.B. 1238
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently in the Water Code, Class I injection wells are approved after the executive director of the Texas Commission on Environmental Quality (executive commissioner; TCEQ) has received the application and had an inspection made of the location. This process can often take extended periods of time due to the strain on staff and finances for TCEQ. H.B. 1238 relieves the strain on approving Class I Injection wells from TCEQ by allowing the executive director to accept an inspection report prepared by a licensed engineer or geoscientist in Texas. This report must follow the guidelines of Subsection (a), confirming that the location was thoroughly inspected and clearly states the engineer's or geoscientist's determination regarding casing requirements. H.B. 1238 allows inspections to be done in person or virtually through satellite or other aerial imagery, mapping software, or other appropriate information sources.

H.B. 1238 amends current law relating to the inspection of the location of a proposed Class I injection well.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 27.016, Water Code, as follows:

Sec. 27.016. INSPECTION OF WELL LOCATION. (a) Creates this subsection from existing text. Makes nonsubstantive changes.

(b) Authorizes the executive director of the Texas Commission on Environmental Quality (executive director; TCEQ), for a proposed Class I injection well, to satisfy the requirements of Subsection (a) (relating to requiring the executive director to take certain actions on receiving an application for a permit) by accepting an inspection report prepared by an engineer or geoscientist licensed in this state. Requires that the report:

(1) confirm that the engineer or geoscientist inspected the location of the proposed injection well to determine the local conditions and the probable effect of the well; and

(2) state the engineer's or geoscientist's determination regarding the requirements for the setting of casing as required by Subsection (a)(2) (relating to requiring the executive director to determine the requirements for the setting of casing on receiving an application for a permit, as provided in certain sections of the Water Code).

(c) Authorizes an engineer or geoscientist to conduct an inspection under Subsection (b)(1):

(1) in person at the location of the proposed injection well; or

(2) virtually through satellite or other aerial imagery, mapping software, or other appropriate information sources.

(d) Authorizes the executive director of TCEQ to require an engineer or geoscientist that submits a virtual inspection described by Subsection (c)(2) to conduct an additional in-person inspection if the initial visual inspection reveals an issue the executive director determines merits an in-person inspection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.