

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1523
By: Gerdes (Schwertner)
Water, Agriculture and Rural Affairs
5/23/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Texas Water Development Board, the allocation of surface water for aquifer storage and recovery (ASR) was authorized in 1995. Since then, the Texas Commission on Environmental Quality (TCEQ) has assumed exclusive jurisdiction over the regulation and permitting of ASR injection wells. In 2022, the City of Austin included an ASR project in its Water Forward Plan, announcing its intentions to move forward with this initiative.

Following the announcement, discussions about locating injection wells in neighboring Bastrop and Lee Counties prompted concerns from groundwater experts and local county leaders. These stakeholders raised questions about the potential impacts of injecting treated surface water into the Carrizo-Wilcox aquifer, particularly regarding water migration, contamination risks, and chemical reactions occurring underground. In response, they sought answers from the city, asking for assurances about the safety of the project and requesting the development of mitigation plans in the event of negative outcomes.

In light of these ongoing concerns, H.B. 1523 has been introduced to establish safeguards on TCEQ's permitting process for any ASR project between Bastrop and Travis counties. The bill aims to ensure that the integrity of the aquifer is protected and that local concerns are fully addressed before any project can be authorized.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 1523 amends current law relating to a temporary prohibition on the authorization by the Texas Commission on Environmental Quality of the use of a Class V injection well for certain aquifer storage and recovery projects.

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 Subchapter G, Chapter 27, Water Code, by adding Section 27.1535, as follows:

Sec. 27.1535. TEMPORARY PROHIBITION ON AUTHORIZATIONS OF USE OF CERTAIN CLASS V INJECTION WELLS. (a) Provides that this section applies only to a Class V injection well that is located in any portion of the territory of a groundwater conservation district that has adopted a resolution finding that Class V injection wells pose environmental risks to aquifers located in the territory of the district.

(b) Prohibits the Texas Commission on Environmental Quality from authorizing the use of a Class V injection well for an aquifer storage and recovery project operated by a municipally owned utility that primarily provides water to a municipality that has a population of 750,000 or more and is located in a county adjacent to a county in which a groundwater conservation district described by Subsection (a) is wholly or partly located.

(c) Provides that this section expires December 31, 2027.

SECTION 2. Effective date: upon passage or September 1, 2025.