

BILL ANALYSIS

Senate Research Center
89R5372 ANG-F

H.B. 1633
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Water, Agriculture and Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Water Code currently exempts certain wells from the need to obtain a permit. This includes wells for domestic use or small-time farmers providing water for agricultural purposes. Historically, these landowners access groundwater through shallow wells that are exempt from the requirement to obtain a permit from a groundwater conservation district.

Specific to Bastrop and Lee Counties, these small scale-farmers and ranchers have seen a massive increase in the depth to which their wells must be drilled due to a rise in the export of regional water. These landowners are then forced to pay out of pocket to dig their wells deeper.

H.B. 1633 requires groundwater conservation districts to consider the effects that permitting decisions may have on existing landowners by requiring groundwater districts to consider exempt wells when making a permitting decision.

H.B. 1633 amends current law relating to the criteria considered by groundwater conservation districts before granting or denying a permit or permit amendment.

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 36.113(d), Water Code, to require a groundwater conservation district, before granting or denying a permit, or a permit amendment issued in accordance with Section 36.1146 (Change in Operating Permits), to consider certain factors, including whether the proposed use of water unreasonably affects wells that are registered with the district and exempt from the requirement to obtain a permit under Chapter 36 (Groundwater Conservation Districts) or district rules, and to make nonsubstantive changes.

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