

BILL ANALYSIS

H.B. 1689
By: Gerdes
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Last session, the legislature enacted H.B. 3059, which authorized groundwater conservation districts (GCDs) to use funds obtained from certain fees to maintain the operability of wells significantly affected by groundwater development. The bill author has informed the committee that, while the updated fee structure and usage has allowed GCDs more flexibility in mitigation within their own jurisdictions, the impacts of large-scale groundwater production and export projects can extend beyond the permitting district's boundaries. Further, current law does not clarify whether GCDs have the ability to use shared funds to manage impacts of wells located on shared district borders. H.B. 1689 seeks to address this issue by authorizing a GCD to use funds obtained from certain authorized export fees for the purpose of maintaining the operability of wells located outside of the district if the GCD enters into an interlocal contract with the other district for that purpose.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1689 amends the Water Code to specify that the wells significantly affected by groundwater development for which a groundwater conservation district may use funds obtained from certain authorized export fee increases to maintain their operability include such wells located outside the district. The bill conditions a groundwater conservation district's use of such funds to maintain the operability of wells significantly affected by groundwater development that are located in another groundwater conservation district on the district entering into an interlocal contract under the Interlocal Cooperation Act with the other district authorizing the funds to be used for that purpose.

EFFECTIVE DATE

September 1, 2025.