

BILL ANALYSIS

Senate Research Center
89R5258 SCR-D

H.B. 1690
By: Gerdes (Kolkhorst)
Water, Agriculture and Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Groundwater conservation districts (GCDs) hold public hearings in consideration of export permit applications. Under the open meetings statute, notifications for this public input and the application information are shared within the jurisdiction's boundaries. However, the impacts of large-scale groundwater production associated with groundwater export projects can extend far beyond the permitting district. Currently, there are no requirements for applicants to inform neighboring jurisdictions of export permit applications that have the potential to disrupt access to valuable groundwater resources. Concerns have been raised about the continued lack of transparency while considering these permits and the inability of affected landowners, cities, and political subdivisions to provide input or adequately prepare for interruptions in service.

H.B. 1690 would require that GCDs adopt rules to increase the transparency of export permit applications to neighboring jurisdictions that will be potentially impacted by the increased withdrawal of groundwater resources.

H.B. 1690 amends current law relating to an application for a permit for the transfer of groundwater out of a groundwater conservation district.

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 36.122, Water Code, by adding Subsection (d-1), as follows:

(d-1) Requires the groundwater conservation district to adopt rules requiring that notice be given for an application filed to comply with Section 36.122 (Transfer of Groundwater Out of District). Requires that the notice be:

(1) paid for by the applicant;

(2) sent by certified mail to:

(A) each district that is adjacent to the district considering the application;

(B) the commissioners court of each county in which the district considering the application is located; and

(C) the commissioners court of each county in which a district that receives notice under Paragraph (A) is located; and

(3) published in a newspaper of general circulation in the county in which the district considering the application is located and a newspaper of general circulation in each county in which a district that receives notice under Subdivision (2)(A) is located.

SECTION 2. Effective date: September 1, 2025.