

BILL ANALYSIS

Senate Research Center
89R16124 KRM-F

H.B. 4630
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Water, Agriculture and Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Existing law relating to the regulation of artesian wells dates back to the predecessor agencies of the Texas Commission on Environmental Quality (TCEQ), predates the creation of groundwater conservation districts (GCDs), generally predates the modern regulations pertaining to the drilling of water wells administered by the Texas Department of Licensing and Regulation, and is generally outdated.

H.B. 4630 is intended to:

- (1) eliminate several of the TCEQ reporting requirements that are practically obsolete;
- (2) clarify that the remaining provisions only apply to artesian wells that are not located within a GCD or subsidence district; and
- (3) make conforming changes to TCEQ's enforcement powers.

H.B. 4630 amends current law relating to the regulation of artesian water wells by the Texas Commission on Environmental Quality.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Commission on Environmental Quality is rescinded in SECTION 3 (Section 11.202, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 7.142(a) and (b), Water Code, as follows:

- (a) Deletes existing text providing that a person commits an offense if the person violates Section 11.203 (Artesian Well: Drilling Record). Makes nonsubstantive changes.
- (b) Makes conforming and nonsubstantive changes to this subsection.

SECTION 2. Amends Subchapter F, Chapter 11, Water Code, by adding Section 11.2011, as follows:

Sec. 11.2011. APPLICABILITY. Provides that Subchapter F (Artesian Wells), other than Sections 11.202(c) (relating to requiring that an artesian well be securely capped or its flow controlled so as prevent certain injuries) and 11.206 (Improperly Cased Well: Nuisance), applies only to an artesian well drilled outside the boundaries of a groundwater conservation district, subsidence district, or other conservation and reclamation district with the authority to regulate the drilling, spacing, or production of water wells.

SECTION 3. Repealers: Sections 11.202(d) (relating to prohibiting a person from drilling and operating a certain artesian well) and (e) (relating to authorizing the Texas Commission on Environmental Quality by rule to grant exemptions under this subsection to a local water district), Water Code.

Repealers: Sections 11.203 (Artesian Well: Drilling Record) and 11.204 (Report of New Artesian Well), Water Code.

Repealer: Section 11.207 (Annual Report), Water Code.

SECTION 4. Effective date: upon passage or September 1, 2025.