

## **BILL ANALYSIS**

H.B. 4630  
By: Kitzman  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that an artesian well naturally brings groundwater to the surface without mechanical pumping due to the pressure within the body of rock or sediment in which the well resides. The bill author has also informed the committee that there are statutes in place that relate to the monitoring and drilling of artesian wells and that predate the establishment of groundwater conservation districts, which currently take measures to monitor the groundwater aquifers and the artesian wells within their boundaries, and that because of this overlap, there is a frivolous amount of monitoring of and resources used on artesian wells within such districts. H.B. 4630 seeks to address this issue, and to use recommendations to the 88th Texas Legislature from the House Committee on Natural Resources interim report on the cleanup of artesian well statutes, by limiting the applicability of certain artesian well statutes to artesian wells drilled outside the boundaries of specified types of districts and repealing certain requirements relating to artesian wells.

### **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. 4630 amends the Water Code to establish that statutory water rights provisions relating to artesian wells apply 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. However, that applicability limitation does not apply to the following provisions:

- a requirement that an artesian well, when water is reached containing mineral or other substances injurious to vegetation or agriculture, be securely capped or its flow controlled so as not to injure another person's land or be properly plugged so as to prevent the water from rising above the first impervious stratum below the ground's surface; and
- a provision establishing that an artesian well that is not tightly cased, capped, and furnished with mechanical appliances that readily and effectively prevent water from flowing out of the well and running over the ground's surface above the well or wasting through the strata through which it passes is a public nuisance and subject to abatement by the executive director of the Texas Commission on Environmental Quality (TCEQ).

H.B. 4630 repeals the following requirements:

- a requirement for a person who drills an artesian well or has one drilled to keep a complete and accurate record of the depth, thickness, and character of the different strata penetrated and, when the well is completed, to transmit a copy of the record to the TCEQ by registered mail;
- a requirement for an owner or operator of an artesian well, within one year after the well is drilled, to transmit to the TCEQ a sworn report stating the result of the drilling operation, the use to which the water will be applied, and the contemplated extent of the use; and
- an annual reporting requirement for a person who, during any part of the preceding calendar year, owned or operated an artesian well for any purpose other than domestic use.

H.B. 4630 repeals the following provisions of the Water Code:

- Sections 11.202(d) and (e);
- Section 11.203;
- Section 11.204; and
- Section 11.207.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.