

BILL ANALYSIS

Senate Research Center

S.B. 1583
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Water, Agriculture and Rural Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Desired future conditions represent quantitative policy goals set for the management of groundwater resources in a given area. Modeled available groundwater refers to the amount of groundwater that can be sustainably pumped to meet these goals. The Texas Water Development Board (TWDB) is responsible for assisting districts in creating groundwater management plans and approving them for administrative completeness. These plans must include the most recent desired future conditions and their corresponding modeled available groundwater volumes. However, existing statutes do not clearly address situations where an aquifer, once relevant to joint planning, is declared non-relevant or when a desired future condition is contested and deemed unreasonable leading to delays in plan approvals and inefficiencies.

The proposed legislation seeks to enhance the efficiency and clarity of the groundwater management planning process by addressing gaps in existing regulations. It establishes clear requirements for how groundwater conservation districts should handle specific scenarios, such as when an aquifer that was previously considered relevant for joint groundwater planning is later designated as non-relevant and when a desired future condition is deemed unreasonable through a formal petition process.

S.B. 1583 aims to reduce confusion and streamline the administrative processes for both groundwater conservation districts and TWDB, ensuring that management plans are consistent, transparent, and better equipped to address evolving groundwater resource challenges.

S.B. 1583 amends current law relating to management plans adopted by groundwater conservation districts.

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 36.1071, Water Code, by amending Subsection (b) and adding Subsections (b-1), (b-2), and (b-3), as follows:

(b) Requires that the management plan developed by a groundwater conservation district (district), or any amendments to the plan:

(1) creates this subdivision from existing text and makes a nonsubstantive change; and

(2) include the most recently approved desired future conditions adopted under Section 36.108 (Joint Planning in Management Area) and the amount of modeled available groundwater corresponding to the most recently approved desired future conditions.

(b-1) Requires a district to amend a management plan before the second anniversary of the adoption of desired future conditions included under Subsection (b).

(b-2) Requires the executive administrator of the Texas Water Development Board (executive administrator), if a petition challenging the reasonableness of a desired future condition is filed under Section 36.1083(b) (relating to a petition to appeal the reasonableness of a desired future condition of the groundwater resources in a management area) and until the district issues a final order under Section 36.1083(n) (relating to requirements for a district on receipt of an administrative law judge's findings), or, if the desired future condition is found to be unreasonable in the final order, a new desired future condition is adopted under 36.108 or 36.1083(p) (relating to the requirement to reconvene a joint planning meeting upon a final order that a desired future condition is unreasonable), to consider the management plan administratively complete if the district includes certain information.

(b-3) Provides that Subsection (b-2) applies until either the district issues a final order under Section 36.1083(n) or, if a desired future condition is found to be unreasonable in the final order, a new desired future condition is adopted pursuant to Section 36.108 or 36.1083(p).

SECTION 2. Amends Section 36.1072(b), Water Code, to provide that a management plan is administratively complete when it contains the information required to be submitted under Sections 36.1071(a) (relating to a groundwater management plan addressing certain goals) and (e) (relating to required components of a groundwater management plant) or meets the requirements of Section 36.1071(b-2), if applicable, and to make a nonsubstantive change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2025.