

BILL ANALYSIS

Senate Research Center
89R17489 TYPED

S.B. 1959
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Water, Agriculture and Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1959 seeks to amend Subchapter C, Chapter 8856 of the Special District Local Laws Code by adding Section 8856.108, which requires the North Texas Groundwater Conservation District to consider specific uses of water when evaluating permit applications, granting them the same jurisdiction as other similar conservation districts.

Groundwater resources in Texas, particularly in the North Texas region, are under increasing pressure due to population growth, agricultural demand, and climatic variability. A growing concern is the use of limited groundwater supplies for aesthetic purposes, such as filling artificial ponds or lakes intended solely for landscaping enhancement. Such non-essential uses can strain the aquifer and limit availability for essential uses like municipal supply, agriculture, and domestic consumption.

Under current law, groundwater conservation districts in Texas evaluate permit applications based on criteria outlined in Chapter 36 of the Texas Water Code and applicable local laws. However, the North Texas Groundwater Conservation District is not explicitly required to consider aesthetic uses—such as artificial landscape ponds or lakes—when evaluating permits. This gap allows for discretionary or inconsistent evaluation of such uses, potentially leading to inefficient allocation of groundwater resources.

This legislation explicitly adds aesthetic landscape enhancement as a required consideration in the permitting process for wells and well amendments under Section 36.1146. It does not prohibit such uses but mandates that the district formally account for them during the permitting process. This addition enhances transparency, prioritizes essential water uses, and promotes responsible groundwater management in alignment with conservation goals. The main purpose of this legislation is to grant the North Texas Groundwater Conservation District equal standing with other similar conservation districts.

This legislation aligns with broader efforts to ensure groundwater is used efficiently and equitably, particularly in areas facing water scarcity.

Overall, S.B. 1959 promotes balanced groundwater use supporting long-term regional water sustainability.

As proposed, S.B. 1959 amends current law relating to permit considerations for the North Texas 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 Subchapter C, Chapter 8856, Special District Local Laws Code, by adding Section 8856.108, as follows:

Sec. 8856.108. PERMIT CONSIDERATIONS. Requires the North Texas Groundwater Conservation District, before granting or denying a permit, or a permit amendment issued in accordance with Section 36.1146, to consider whether the proposed use of water from the well is wholly or partly to provide water to a pond or lake to enhance the appearance of the landscape.