

**BILL ANALYSIS**

S.B. 2885  
By: Flores  
Natural Resources  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that as the state's growing population continues to place significant demands on local water supplies local political subdivisions are committed to sustainable water resource management strategies to support ongoing industrial and economic growth and that numerous local entities have proposed to implement aquifer storage and recovery (ASR) of treated effluent to ensure long-term water security. The bill sponsor has also informed the committee that injecting reclaimed water into an aquifer is not a new concept as the City of El Paso's Fred Hervey Water Reclamation Plant has been injecting reclaimed water that has been treated to drinking water standards since 1985, but that despite this the state's regulatory framework lacks provisions to permit the use of reclaimed water as injectate in ASR projects, creating a critical barrier to innovative water management. The bill sponsor has further informed the committee that, for example, in 2023, the City of Temple applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to inject reclaimed water into the Lower Trinity Aquifer in Bell County and that, initially, the permit was approved, but that after further deliberation, the TCEQ rescinded the permit approval, with the cited reason being a lack of regulatory clarity surrounding the injection of reclaimed water. S.B. 2885 seeks to address this issue and provide regulatory clarity by providing for the use of reclaimed water that has been treated to meet certain standards as part of an aquifer storage and recovery project.

**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 rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

**ANALYSIS**

S.B. 2885 amends the Water Code to authorize the Texas Commission on Environmental Quality (TCEQ), notwithstanding the requirement for the TCEQ, in adopting a rule or issuing a permit authorizing the use of a Class V injection well as an ASR injection well, to consider whether the injection of water will comply with the standards set forth under the federal Safe Drinking Water Act, by rule or by individual or general permit to authorize the injection of reclaimed water that is treated in accordance with standards adopted by the TCEQ for that purpose.

**EFFECTIVE DATE**

September 1, 2025.