

By: Goodwin

H.B. No. 3467

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the disclosure by a seller of certain real property to
3 the purchaser of the property of information regarding the process
4 for obtaining a permit from the Texas Commission on Environmental
5 Quality for the storage, taking, or diversion of state water.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter A, Chapter 5, Property Code, is
8 amended by adding Section 5.0111 to read as follows:

9 Sec. 5.0111. SELLER'S NOTICE REGARDING APPROPRIATION OF
10 STATE WATER. A person who sells an interest in real property in
11 this state that contains or is adjacent to state water shall give to
12 the purchaser of the property a written notice that conforms to the
13 standard notice adopted by the Texas Commission on Environmental
14 Quality under Section 11.121, Water Code, relating to the
15 appropriation of state water.

16 SECTION 2. Section 11.121, Water Code, is amended to read as
17 follows:

18 Sec. 11.121. PERMIT REQUIRED; NOTICE TO CERTAIN PURCHASERS
19 OF REAL PROPERTY. (a) Except as provided in Sections 11.1405,
20 11.142, 11.1421, 11.1422, and 18.003, no person may appropriate any
21 state water or begin construction of any work designed for the
22 storage, taking, or diversion of water without first obtaining a
23 permit from the commission to make the appropriation.

24 (b) The commission by rule shall adopt a standard notice for

1 a purchaser of real property that contains or is adjacent to state
2 water. The notice must be designed to inform a purchaser of:

- 3 (1) the requirements of this section; and
4 (2) the process by which a person may obtain from the
5 commission a permit authorizing the storage, taking, or diversion
6 of state water.

7 SECTION 3. Section 5.0111, Property Code, as added by this
8 Act, applies only to a sale or conveyance of property for which a
9 binding contract is executed on or after January 1, 2026. A sale or
10 conveyance for which a binding contract is executed before that
11 date is governed by the law in effect on the date the contract is
12 executed, and the former law is continued in effect for that
13 purpose.

14 SECTION 4. Not later than December 31, 2025, the Texas
15 Commission on Environmental Quality shall adopt the notice required
16 by Section 11.121, Water Code, as amended by this Act.

17 SECTION 5. This Act takes effect September 1, 2025.