

By: Wilson

H.B. No. 5385

A BILL TO BE ENTITLED

AN ACT

relating to aquifer storage and recovery projects that transect a portion of the Edwards Aquifer.

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

SECTION 1. Section 27.051(i), Water Code, is amended to read as follows:

(i) For purposes of this subsection, "Edwards Aquifer" has the meaning assigned by Section 26.046(a). Except as otherwise provided by this subsection, the commission may not authorize by rule or permit an injection well that transects or terminates in the Edwards Aquifer. The commission by rule or permit may authorize:

(1) injection of groundwater withdrawn from the Edwards Aquifer;

(2) injections of storm water, flood water, or groundwater through improved sinkholes or caves located in karst topographic areas; ~~or~~

(3) injections of water made in accordance with Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993; or

(4) an aquifer storage and recovery project that includes an ASR injection well, as defined under Section 27.151, that transects the Edwards Aquifer in the area of Williamson County east of Interstate Highway 35 for the injection of water into a geologic formation that underlies the Edwards Aquifer.

1           SECTION 2. Not later than March 1, 2026, the Texas  
2 Commission on Environmental Quality shall adopt rules to implement  
3 Section 27.051(i), Water Code, as amended by this Act.

4           SECTION 3. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2025.