

By: Birdwell, Sparks

S.B. No. 1145

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the Texas Commission on Environmental  
3 Quality to issue permits for the land application of water produced  
4 from certain mining and oil and gas extraction operations.

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

6 SECTION 1. Section 26.131, Water Code, as effective until  
7 delegation of authority under the Resource Conservation and  
8 Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.) to the  
9 Railroad Commission of Texas, is amended by amending Subsection (b)  
10 and adding Subsection (e) to read as follows:

11 (b) Except as provided by Subsections [~~Subsection~~] (d) and  
12 (e), the Railroad Commission of Texas may issue permits for the  
13 discharge of waste resulting from the activities described by  
14 Subsection (a), and the discharge of waste into water in this state  
15 resulting from those activities must meet the water quality  
16 standards established by the commission.

17 (e) The commission may issue permits for the land  
18 application of produced water resulting from activities described  
19 by Subsection (a) that has been treated for beneficial use. The  
20 commission shall adopt standards for the land application of water  
21 under this section, including standards that prevent the pollution  
22 of surface and subsurface water.

23 SECTION 2. Section 26.131, Water Code, as effective on  
24 delegation of authority under the Resource Conservation and

1 Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.) to the  
2 Railroad Commission of Texas, is amended by amending Subsection (b)  
3 and adding Subsection (d) to read as follows:

4 (b) Except as provided by Subsections [~~Subsection~~] (c) and  
5 (d), the Railroad Commission of Texas may issue permits for the  
6 discharge of waste resulting from the activities described by  
7 Subsection (a), and the discharge of waste into water in this state  
8 resulting from those activities must meet the water quality  
9 standards established by the commission.

10 (d) The commission may issue permits for the land  
11 application of produced water resulting from activities described  
12 by Subsection (a) that has been treated for beneficial use. The  
13 commission shall adopt standards for the land application of water  
14 under this section, including standards that prevent the pollution  
15 of surface and subsurface water.

16 SECTION 3. The change in law made by this Act applies only  
17 to a permit, the application for which is filed on or after the  
18 effective date of this Act. A permit, the application for which is  
19 filed before the effective date of this Act, is subject to the law  
20 in effect on the date the application is filed, and that law is  
21 continued in effect for that purpose.

22 SECTION 4. This Act takes effect September 1, 2025.