

## **BILL ANALYSIS**

Senate Research Center  
79R12649 HLT-D

S.B. 1451  
By: Averitt  
Natural Resources  
4/22/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current Texas law does not require notice of priority groundwater management area designation to state legislators. It does not explicitly provide that one set of driller's logs can satisfy both the Texas Commission of Licensing and Regulation's (commission) requirements and those of the groundwater conservation district (district). State law authorizes individual persons to loan funds to districts for creation and organization, but does not provide that a county or governmental entity is authorized to loan funds for this purpose.

C.S.S.B. 1451 amends Chapters 35 and 36, Water Code, to update and clarify certain provisions related the management of groundwater resources in this state, including consistency between statutes governing districts and commission rules governing licensed water well drillers.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to a groundwater management district in SECTION 2 (Sections 36.111 and 36.112, Water Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 35.009, Water Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Requires the Texas Environmental Quality Commission (TCEQ) to give written notice of specific information pertaining to a hearing to each state senator and state representative who represents any part of the area proposed for designation as a priority groundwater management area and other specific entities.

(d) Requires the notice required under Subsection (c) to be given before the 30th day preceding the day set for the hearing.

SECTION 2. Amends Sections 36.111 and 36.112, Water Code, as follows:

Sec. 36.111. RECORDS AND REPORTS. (a) Creates this subsection from existing text.

(b) Authorizes a groundwater management district (district), by rule, to establish that the records and reports required under Texas Commission of Licensing and Regulation (commission) under its rules or Chapter 1901 (Water Well Drillers), Occupations Code, satisfy the requirements of Subsection (a).

Sec. 36.112. DRILLERS' LOGS. (a) Creates this subsection from existing text.

(b) Authorizes a district, by rule, to establish that the well logs required by the commission under its rules or Chapter 1901, Occupations Code, satisfy the requirements of Subsection (a).

SECTION 3. Amends Section 36.157(a), Water Code, to authorize a district to pay all costs and expenses necessarily incurred in the creation and organization of a district, and to reimburse any person, including a county, for money advanced for these purposes.

SECTION 4. Effective date: September 1, 2005.