

BILL ANALYSIS

Senate Research Center
80R2279 HLT-F

S.B. 1895
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 36.121 (Limitation on Rulemaking Power of Districts Over Wells in Certain Counties), Water Code, prevents the Brewster County Groundwater Conservation District (district) from treating all well owners and operators equally by exempting water wells in cities with populations of less than 121,000 from the rules of a groundwater district in counties with a population of less than 14,000. The City of Alpine presently uses approximately 40 percent of all groundwater used in Brewster County, which in accordance with the regional water plan, is expected to increase to 60 percent by 2050. Yet, the City of Alpine is exempt from the rules of the district under Section 36.121, Water Code. Treating the largest water user in the district, the City of Alpine, differently from all other water users in the district prevents the district from effectively managing and conserving the groundwater resources of Brewster County.

As proposed, S.B. 1895 exempts the Brewster County Groundwater Conservation District from the provisions of Section 36.121, Water Code, to allow the district to gather necessary data for water conservation and management from all its users.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5, Chapter 1291, Acts of the 77th Legislature, Regular Session, 2001, by adding Subsection (d), to provide that Section 36.121 (Limitation on Rulemaking Power of Districts Over Wells in Certain Counties), Water Code, does not apply to the Brewster County Groundwater Conservation District.

SECTION 2. Effective date: September 1, 2007.