

BILL ANALYSIS

Senate Research Center
81R3128 SLB-F

S.B. 1737
By: Uresti
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1737 is intended to correct the inadvertent application of Chapter 36.121 (Limitation on Rulemaking Power of Districts Over Wells in Certain Counties), Water Code, to Brewster County. This provision currently prevents the Brewster County Groundwater Conservation District (district) from treating all well owners and operators equally. The City of Alpine presently uses an estimated 40 percent of all groundwater pumped in Brewster County. Yet the city is exempt from the rules of the district.

It is counterproductive to treat the largest water user differently than all other users because it prevents the district from effectively and efficiently managing and conserving the groundwater resources of Brewster County.

As proposed, S.B. 1737 provides that Section 36.121, Water Code, does not apply to the Brewster County Groundwater Conservation District.

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, 2009.