

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1646
By: King, Tracy O. (Perry)
Water, Agriculture & Rural Affairs
5/19/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1477, passed by the 73rd Legislature, Regular Session, 1993, established the Edwards Aquifer Authority as a special regional management district to manage, enhance, and protect the Edwards Aquifer system in south central Texas. That legislation required that all water withdrawn from the aquifer be used solely within the authority's jurisdictional boundaries, intending for water withdrawn to be used to meet the needs of users within its boundaries. Included among these users are certain entities with certificates of convenience and necessity (CCN), which grant a holder exclusive rights to provide retail water or sewer utility service to a specified geographic area that extends beyond the authority's jurisdictional lines. H.B. 1646 seeks to prevent the need for costly reengineering of a CCN holder's water infrastructure to separate aquifer water from other water sources by allowing the use of water withdrawn from the Edwards Aquifer within the geographic area of a CCN any part of which was located within the boundaries of the Edwards Aquifer Authority at the time the authority became operational.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 1646 amends current law relating to the use of water withdrawn from the Edwards Aquifer.

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 Amends Section 1.34(b), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, to require that water withdrawn from the Edwards Aquifer be used within the boundaries of the Edwards Aquifer Authority or within the geographic area of a certificate of convenience and necessity as the certificate of convenience and necessity existed on September 1, 2023, and any part of which was located within the boundaries of the authority on June 28, 1996.

SECTION 2. Effective date: September 1, 2023.