

By: King of Uvalde

H.B. No. 3417

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the criteria considered by groundwater conservation
3 districts before granting or denying a permit.

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

5 SECTION 1. Section 36.113(d), Water Code, is amended to
6 read as follows:

7 (d) This subsection does not apply to the renewal of an
8 operating permit issued under Section 36.1145. Before granting or
9 denying a permit, or a permit amendment issued in accordance with
10 Section 36.1146, the district shall consider whether:

11 (1) the application conforms to the requirements
12 prescribed by this chapter and is accompanied by the prescribed
13 fees;

14 (2) the proposed use of water unreasonably affects:
15 (A) existing groundwater and surface water
16 resources; ~~or~~

17 (B) existing permit holders; or

18 (C) registered wells that are exempt from the
19 requirement to obtain a permit under this chapter or district
20 rules;

21 (3) the proposed use of water is dedicated to any
22 beneficial use;

23 (4) the proposed use of water is consistent with the
24 district's approved management plan;

1 (5) if the well will be located in the Hill Country
2 Priority Groundwater Management Area, the proposed use of water
3 from the well is wholly or partly to provide water to a pond, lake,
4 or reservoir to enhance the appearance of the landscape;

5 (6) the applicant has agreed to avoid waste and
6 achieve water conservation; and

7 (7) the applicant has agreed that reasonable diligence
8 will be used to protect groundwater quality and that the applicant
9 will follow well plugging guidelines at the time of well closure.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.