

BILL ANALYSIS

C.S.H.B. 655
By: Larson
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that the state relies heavily on reservoirs for storing water supplies but that high evaporation losses due to the arid and semi-arid conditions throughout much of Texas make this method of storage inefficient. It has been reported that during the most recent drought more water evaporated from the Highland Lakes than the entire city of Austin used during the same period. Aquifer storage and recovery, a storage method where water is injected underground for storage and future retrieval, eliminates evaporation losses, and interested parties assert that this storage method is critical to meeting the state's future water needs. The parties contend, however, that the complexity of the state's current aquifer storage and recovery regulatory framework hinders this effort. C.S.H.B. 655 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 655 amends the Water Code to remove and repeal, as applicable, provisions providing for pilot projects for the storage of appropriated water in aquifers for subsequent retrieval and beneficial use, the continued storage of appropriated water in an aquifer at the conclusion of a project, storage of appropriated water within a groundwater conservation district, and related application, reporting, and other requirements. The bill instead authorizes a water right holder or a person who has contracted for the use of water under a contract that does not prohibit the use of the water in an aquifer storage and recovery project to undertake an aquifer storage and recovery project without obtaining any additional authorization for the project under certain statutory provisions regarding water rights but requires the person undertaking such a project to obtain any required authorizations under the bill's provisions and to comply with the terms of the applicable water right. The bill establishes that this authorization to undertake a project and the compliance requirements do not preclude the Texas Commission on Environmental Quality (TCEQ) from considering an aquifer storage and recovery project to be a component of a project permitted under certain statutory provisions regarding water rights that is not required to be based on the continuous availability of historic, normal stream flow. The bill requires TCEQ to adopt rules to implement the bill's provisions relating to this authorization and these requirements not later than May 1, 2016. The bill defines "aquifer storage and recovery project" as a project involving the injection of water into a geologic formation for the purpose of subsequent recovery and beneficial use by the project operator and defines "project operator" as a person holding an applicable authorization to undertake an aquifer storage and recovery project.

C.S.H.B. 655 establishes provisions relating to aquifer storage and recovery projects in the Injection Well Act. The bill grants TCEQ exclusive jurisdiction over the regulation and permitting of ASR injection wells, defined by the bill as Class V injection wells used for the injection of water into a geologic formation as part of an aquifer storage and recovery project. The bill authorizes TCEQ to authorize the use of a Class V injection well as an ASR injection well by rule, under an individual permit, or under a general permit. The bill sets out criteria TCEQ is required to consider when adopting such a rule or issuing such an individual or general permit. The bill requires all wells associated with a single aquifer storage and recovery project to be located within a continuous perimeter boundary of one parcel of land or two or more adjacent parcels of land under common ownership, lease, joint operating agreement, or contract. The bill requires TCEQ by rule to provide for public notice and comment on an authorized proposed general permit and sets out notice requirements for an applicant for an authorized individual permit.

C.S.H.B. 655 requires TCEQ to adopt technical standards governing the approval of the use of a Class V injection well as an ASR injection well and sets out provisions relating to the volume of water that may be recovered by an aquifer storage and recovery project proposed to be located in a groundwater conservation district or other special-purpose district with the authority to regulate the withdrawal of groundwater. The bill requires TCEQ by rule to prescribe construction and completion standards and metering and reporting requirements for ASR injection wells and ASR recovery wells, including for an ASR injection well that also serves as an ASR recovery well. The bill defines "ASR recovery well" as a well used for the recovery of water from a geologic formation as part of an aquifer storage and recovery project. The bill prohibits TCEQ from adopting or enforcing groundwater quality protection standards for the quality of water injected into an ASR injection well that are more stringent than applicable federal standards. The bill sets out requirements for a project operator relating to the reporting of injection and recovery volumes and water quality data to TCEQ. The bill requires TCEQ to adopt rules to implement the bill's Injection Well Act provisions not later than May 1, 2016.

C.S.H.B. 655 establishes provisions relating to aquifer storage and recovery projects under general provisions governing groundwater conservation districts and specifies that these provisions relating to aquifer storage and recovery projects apply to an ASR recovery well that also functions as an ASR injection well. The bill requires a project operator to register the ASR injection wells and ASR recovery wells associated with the aquifer storage and recovery project with any district in which the wells are located and to provide the reports on injection and recovery volumes and water quality data to the district in addition to TCEQ. The bill requires a project operator of an aquifer storage and recovery project that recovers an amount of groundwater that exceeds the volume authorized by TCEQ to be recovered under the project to report to the district the volume of groundwater recovered that exceeds the volume authorized to be recovered in addition to providing the report on injection and recovery volumes.

C.S.H.B. 655 prohibits a district from requiring a permit for the drilling, equipping, operation, or completion of an ASR injection well or an ASR recovery well that is authorized by TCEQ but subjects the ASR recovery wells that are associated with an aquifer storage and recovery project to the permitting, spacing, and production requirements of the district if the amount of groundwater recovered from the wells exceeds the volume authorized by TCEQ to be recovered under the project. The bill specifies that the requirements of the district apply only to the portion of the volume of groundwater recovered from the ASR recovery wells that exceeds the volume authorized by TCEQ to be recovered. The bill prohibits a project operator from recovering groundwater by an aquifer storage and recovery project in an amount that exceeds the volume authorized by TCEQ to be recovered under the project unless the project operator complies with the applicable permitting, spacing, and production requirements of a district. The bill prohibits a district from assessing a production fee or a transportation or export fee or surcharge for groundwater recovered from an ASR recovery well except to the extent that the amount of groundwater recovered under the aquifer storage and recovery project exceeds the volume

authorized by TCEQ to be recovered. The bill authorizes a district to assess a well registration fee or other administrative fee for an ASR recovery well in the same manner that the district assesses such a fee for other wells registered with the district. The bill authorizes a district to consider hydrogeologic conditions related to the injection and recovery of groundwater as part of an aquifer storage and recovery project in the planning for and monitoring of the achievement of a desired future condition for the aquifer in which the wells associated with the project are located.

C.S.H.B. 655 establishes that its provisions under the Injection Well Act do not affect the ability to regulate an aquifer storage and recovery project as authorized under the governing provisions of the Edwards Aquifer Authority, the Harris-Galveston Subsidence District, the Fort Bend Subsidence District, the Barton Springs-Edwards Aquifer Conservation District, or the Corpus Christi Aquifer Storage and Recovery Conservation District and establishes that its provisions under general provisions governing groundwater conservation districts do not affect the ability to regulate groundwater as authorized under those same governing provisions. The bill establishes that its provisions under the Injection Well Act do not affect the authority of TCEQ regarding certain recharge projects in certain portions of the Edwards underground reservoir or certain injection wells that transect or terminate in certain portions of the Edwards Aquifer.

C.S.H.B. 655 repeals the following provisions of the Water Code:

- Sections 11.153(d) and (e)
- Section 11.154
- Section 11.155

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 655 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Sections 11.153(a), (b), and (c), Water Code, are amended to read as follows:

(a) In this section, "aquifer storage and recovery project" has the meaning assigned by Section 27.151 ~~[The commission shall investigate the feasibility of storing appropriated water in various types of aquifers around the state by encouraging the issuance of temporary or term permits for demonstration projects for the storage of appropriated water for subsequent retrieval and beneficial use].~~

(b) A water right holder may undertake an aquifer storage and recovery project without obtaining any additional authorization under this chapter for the project. ~~A water right~~

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 11.153(a), (b), and (c), Water Code, are amended to read as follows:

(a) In this section, "aquifer storage and recovery project" has the meaning assigned by Section 27.151 ~~[The commission shall investigate the feasibility of storing appropriated water in various types of aquifers around the state by encouraging the issuance of temporary or term permits for demonstration projects for the storage of appropriated water for subsequent retrieval and beneficial use].~~

(b) A water right holder or a person who has contracted for the use of water under a contract that does not prohibit the use of the water in an aquifer storage and recovery

holder undertaking an aquifer storage and recovery project must:

(1) obtain any required authorizations under Subchapter G, Chapter 27, and Subchapter N, Chapter 36; and

(2) comply with the terms of the water right holder's water right [A permit described by Subsection (a) must be for only the duration of the pilot project to provide the commission and the board further opportunity to evaluate the storage of appropriated water in aquifers for subsequent retrieval and beneficial use].

(c) This section does not preclude the commission from considering an aquifer storage and recovery project to be a component of a project permitted under this chapter that is not required to be based on the continuous availability of historic, normal stream flow [At the conclusion of a pilot project, a permit holder may file an appropriate application for a permit or permit amendment. After considering the success of the project and the criteria set out in Section 11.154, the commission shall determine whether to issue a permit or permit amendment authorizing the continued storage of appropriated water in the aquifer].

SECTION 2. Chapter 27, Water Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. AQUIFER STORAGE AND RECOVERY PROJECTS

Sec. 27.151. DEFINITIONS. In this subchapter:

(1) "Aquifer storage and recovery project" means a project involving the injection of water into a geologic formation for subsequent recovery and beneficial use.

(2) "ASR injection well" means a well used for the injection of water into a geologic formation as part of an aquifer storage and recovery project.

(3) "ASR recovery well" means a well used for the recovery of water from a geologic formation as part of an aquifer storage and recovery project.

project may undertake an aquifer storage and recovery project without obtaining any additional authorization under this chapter for the project. A person described by this subsection undertaking an aquifer storage and recovery project must:

(1) obtain any required authorizations under Subchapter G, Chapter 27, and Subchapter N, Chapter 36; and

(2) comply with the terms of the applicable water right [A permit described by Subsection (a) must be for only the duration of the pilot project to provide the commission and the board further opportunity to evaluate the storage of appropriated water in aquifers for subsequent retrieval and beneficial use].

(c) This section does not preclude the commission from considering an aquifer storage and recovery project to be a component of a project permitted under this chapter that is not required to be based on the continuous availability of historic, normal stream flow [At the conclusion of a pilot project, a permit holder may file an appropriate application for a permit or permit amendment. After considering the success of the project and the criteria set out in Section 11.154, the commission shall determine whether to issue a permit or permit amendment authorizing the continued storage of appropriated water in the aquifer].

SECTION 2. Chapter 27, Water Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. AQUIFER STORAGE AND RECOVERY PROJECTS

Sec. 27.151. DEFINITIONS. In this subchapter:

(1) "Aquifer storage and recovery project" means a project involving the injection of water into a geologic formation for the purpose of subsequent recovery and beneficial use by the project operator.

(2) "ASR injection well" means a Class V injection well used for the injection of water into a geologic formation as part of an aquifer storage and recovery project.

(3) "ASR recovery well" means a well used for the recovery of water from a geologic formation as part of an aquifer storage and recovery project.

(4) "Project operator" means a person holding an authorization under this subchapter to undertake an aquifer storage and recovery project.

Sec. 27.152. JURISDICTION.

Sec. 27.153. AUTHORIZATION FOR USE OF CLASS V INJECTION WELLS.

(a) The commission may authorize the use of a Class V injection well as an ASR injection well:

- (1) by rule;
- (2) under an individual permit; or
- (3) under a general permit.

(b) In adopting a rule or issuing a permit under this section, the commission shall consider:

(1) whether the injection of water will comply with the standards set forth under the federal Safe Drinking Water Act (42 U.S.C. Section 300f et seq.);

(2) the extent to which the cumulative volume of water injected for storage in the receiving geologic formation can be successfully recovered from the geologic formation for beneficial use, taking into account that injected water may be commingled to some degree with groundwater native to the receiving geologic formation;

(3) the effect of the aquifer storage and recovery project on existing water wells; and

(4) the potential for groundwater quality degradation.

(c) All wells associated with a single aquifer storage and recovery project must be located within a continuous perimeter

(4) "Native groundwater" means the groundwater naturally occurring in a geologic formation.

(5) "Project operator" means a person holding an authorization under this subchapter to undertake an aquifer storage and recovery project.

Sec. 27.152. JURISDICTION.

Sec. 27.153. AUTHORIZATION FOR USE OF CLASS V INJECTION WELLS.

(a) The commission may authorize the use of a Class V injection well as an ASR injection well:

- (1) by rule;
- (2) under an individual permit; or
- (3) under a general permit.

(b) In adopting a rule or issuing a permit under this section, the commission shall consider:

(1) whether the injection of water will comply with the standards set forth under the federal Safe Drinking Water Act (42 U.S.C. Section 300f et seq.);

(2) the extent to which the cumulative volume of water injected for storage in the receiving geologic formation can be successfully recovered from the geologic formation for beneficial use, taking into account that injected water may be commingled to some degree with native groundwater;

(3) the effect of the aquifer storage and recovery project on existing water wells; and

(4) whether the introduction of water into the receiving geologic formation will alter the physical, chemical, or biological quality of the native groundwater to a degree that would:

(A) render the groundwater produced from the receiving geologic formation harmful or detrimental to people, animals, vegetation, or property; or

(B) require an unreasonably higher level of treatment of the groundwater produced from the receiving geologic formation than is necessary for the native groundwater in order to render the groundwater suitable for beneficial use.

(c) All wells associated with a single aquifer storage and recovery project must be located within a continuous perimeter

boundary of one parcel of land, or two or more adjacent parcels of land under common ownership, lease, joint operating agreement, or contract.

(d) The commission by rule shall provide for public notice and comment on a proposed general permit authorized under this section. The commission shall require an applicant for an individual permit authorized under this section to provide notice of the application by first class mail to any groundwater conservation district in which the wells associated with the aquifer storage and recovery project will be located and by publishing notice in a newspaper of general circulation in the county in which the wells will be located.

Sec. 27.154. TECHNICAL STANDARDS.

(a) The commission shall adopt technical standards governing the approval of the use of a Class V injection well as an ASR injection well.

(b) The commission shall limit the volume of water that may be recovered by an aquifer storage and recovery project to an amount that does not exceed the amount of water injected under the project. If the commission determines that the proposed injection of water into a geologic formation will result in a loss of injected water or native water from the formation, the commission shall impose additional restrictions on the amount of water that may be recovered to account for the loss. The commission may not deny a permit based on a determination that a loss described by this subsection will occur.

(c) The commission by rule shall prescribe construction and completion standards and metering and reporting requirements for ASR injection wells and ASR recovery wells, including for an ASR injection well that also serves as an ASR recovery well.

boundary of one parcel of land, or two or more adjacent parcels of land under common ownership, lease, joint operating agreement, or contract.

(d) The commission by rule shall provide for public notice and comment on a proposed general permit authorized under this section. The commission shall require an applicant for an individual permit authorized under this section to provide notice of the application by first class mail to any groundwater conservation district in which the wells associated with the aquifer storage and recovery project will be located and by publishing notice in a newspaper of general circulation in the county in which the wells will be located.

Sec. 27.154. TECHNICAL STANDARDS.

(a) The commission shall adopt technical standards governing the approval of the use of a Class V injection well as an ASR injection well.

(b) This subsection applies only to an aquifer storage and recovery project proposed to be located in a groundwater conservation district or other special-purpose district with the authority to regulate the withdrawal of groundwater. Except as otherwise provided by this section, the commission shall limit the volume of water that may be recovered by an aquifer storage and recovery project to an amount that does not exceed the amount of water injected under the project. If the commission determines that the proposed injection of water into a geologic formation will result in a loss of injected water or native groundwater, the commission shall impose additional restrictions on the amount of water that may be recovered to account for the loss. The commission may not deny a permit based on a determination that a loss described by this subsection will occur. A limitation imposed under this subsection may not prohibit the production of native groundwater by an aquifer storage and recovery project if the production complies with Subchapter N, Chapter 36.

(c) The commission by rule shall prescribe construction and completion standards and metering and reporting requirements for ASR injection wells and ASR recovery wells, including for an ASR injection well that also serves as an ASR recovery well.

(d) The commission may not adopt or enforce groundwater quality protection standards for the quality of water injected into an ASR injection well that are more stringent than applicable federal standards.

Sec. 27.155. REPORTING OF INJECTION AND RECOVERY VOLUMES.

Sec. 27.156. REPORTING OF WATER QUALITY DATA.

Sec. 27.157. OTHER LAWS NOT AFFECTED. (a) This subchapter does not affect the ability to regulate an aquifer storage and recovery project as authorized under:

- (1) Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, for the Edwards Aquifer Authority;
- (2) Chapter 8801, Special District Local Laws Code, for the Harris-Galveston Subsidence District;
- (3) Chapter 8834, Special District Local Laws Code, for the Fort Bend Subsidence District; or
- (4) Chapter 8802, Special District Local Laws Code, for the Barton Springs-Edwards Aquifer Conservation District.

(b) This subchapter does not affect the authority of the commission regarding:

- (1) recharge projects in certain portions of the Edwards underground reservoir under Sections 11.023(c) and (d); or
- (2) injection wells that transect or terminate in certain portions of the Edwards Aquifer under Section 27.0516.

SECTION 3. Chapter 36, Water Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. AQUIFER STORAGE AND RECOVERY PROJECTS

Sec. 36.451. DEFINITIONS.

No equivalent provision.

(d) The commission may not adopt or enforce groundwater quality protection standards for the quality of water injected into an ASR injection well that are more stringent than applicable federal standards.

Sec. 27.155. REPORTING OF INJECTION AND RECOVERY VOLUMES.

Sec. 27.156. REPORTING OF WATER QUALITY DATA.

Sec. 27.157. OTHER LAWS NOT AFFECTED. (a) This subchapter does not affect the ability to regulate an aquifer storage and recovery project as authorized under:

- (1) Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, for the Edwards Aquifer Authority;
- (2) Chapter 8801, Special District Local Laws Code, for the Harris-Galveston Subsidence District;
- (3) Chapter 8834, Special District Local Laws Code, for the Fort Bend Subsidence District;
- (4) Chapter 8802, Special District Local Laws Code, for the Barton Springs-Edwards Aquifer Conservation District; or
- (5) Chapter 8811, Special District Local Laws Code, for the Corpus Christi Aquifer Storage and Recovery Conservation District.

(b) This subchapter does not affect the authority of the commission regarding:

- (1) recharge projects in certain portions of the Edwards underground reservoir under Sections 11.023(c) and (d); or
- (2) injection wells that transect or terminate in certain portions of the Edwards Aquifer under Section 27.0516.

SECTION 3. Chapter 36, Water Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. AQUIFER STORAGE AND RECOVERY PROJECTS

Sec. 36.451. DEFINITIONS.

Sec. 36.452. APPLICABILITY TO RECOVERY WELLS THAT ALSO FUNCTION AS INJECTION WELLS.

Notwithstanding Section 27.152, this subchapter applies to an ASR recovery well that also functions as an ASR injection well.

Sec. 36.452. REGISTRATION AND REPORTING OF WELLS. (a) A project operator shall:

(1) register the ASR injection wells and ASR recovery wells associated with the aquifer storage and recovery project with any district in which the wells are located;

(2) each calendar month by the deadline established by the commission for reporting to the commission, provide the district with a copy of the written or electronic report required to be provided to the commission under Section 27.155; and

(3) annually by the deadline established by the commission for reporting to the commission, provide the district with a copy of the written or electronic report required to be provided to the commission under Section 27.156.

(b) If an aquifer storage and recovery project recovers an amount of groundwater that exceeds the volume authorized by the commission to be recovered under the project, the project operator shall report to the district the volume of groundwater recovered that exceeds the volume authorized to be recovered.

Sec. 36.453. PERMITTING, SPACING, AND PRODUCTION REQUIREMENTS.

(a) Except as provided by Subsection (b), a district may not require a permit for the drilling, equipping, operation, or completion of an ASR injection well or an ASR recovery well.

(b) The ASR recovery wells that are associated with an aquifer storage and recovery project are subject to the spacing and production requirements of the district if the amount of groundwater recovered from the wells exceeds the volume authorized by the commission to be recovered under the project. The production requirements of the district apply only to the portion of the volume of groundwater recovered from the ASR recovery wells that exceeds the volume authorized by the commission to be recovered.

Sec. 36.453. REGISTRATION AND REPORTING OF WELLS. (a) A project operator shall:

(1) register the ASR injection wells and ASR recovery wells associated with the aquifer storage and recovery project with any district in which the wells are located;

(2) each calendar month by the deadline established by the commission for reporting to the commission, provide the district with a copy of the written or electronic report required to be provided to the commission under Section 27.155; and

(3) annually by the deadline established by the commission for reporting to the commission, provide the district with a copy of the written or electronic report required to be provided to the commission under Section 27.156.

(b) If an aquifer storage and recovery project recovers an amount of groundwater that exceeds the volume authorized by the commission to be recovered under the project, the project operator shall report to the district the volume of groundwater recovered that exceeds the volume authorized to be recovered in addition to providing the report required by Subsection (a)(2).

Sec. 36.454. PERMITTING, SPACING, AND PRODUCTION REQUIREMENTS.

(a) Except as provided by Subsection (b), a district may not require a permit for the drilling, equipping, operation, or completion of an ASR injection well or an ASR recovery well that is authorized by the commission.

(b) The ASR recovery wells that are associated with an aquifer storage and recovery project are subject to the permitting, spacing, and production requirements of the district if the amount of groundwater recovered from the wells exceeds the volume authorized by the commission to be recovered under the project. The requirements of the district apply only to the portion of the volume of groundwater recovered from the ASR recovery wells that exceeds the volume authorized by the commission to be

No equivalent provision.

Sec. 36.454. FEES AND SURCHARGES.

Sec. 36.455. DESIRED FUTURE CONDITIONS.

Sec. 36.456. OTHER LAWS NOT AFFECTED. This subchapter does not affect the ability to regulate groundwater as authorized under:

- (1) Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, for the Edwards Aquifer Authority;
- (2) Chapter 8801, Special District Local Laws Code, for the Harris-Galveston Subsidence District;
- (3) Chapter 8834, Special District Local Laws Code, for the Fort Bend Subsidence District; or
- (4) Chapter 8802, Special District Local Laws Code, for the Barton Springs-Edwards Aquifer Conservation District.

SECTION 4. The following sections of the Water Code are repealed:

- (1) Sections 11.153(d) and (e);
- (2) Section 11.154; and
- (3) Section 11.155.

SECTION 5. Not later than May 1, 2016, the Texas Commission on Environmental Quality shall adopt rules to implement Section 11.153, Water Code, as amended by this Act, and Subchapter G, Chapter 27, Water Code, as added by this Act.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each

recovered.

(c) A project operator may not recover groundwater by an aquifer storage and recovery project in an amount that exceeds the volume authorized by the commission to be recovered under the project unless the project operator complies with the applicable requirements of a district as described by this section.

Sec. 36.455. FEES AND SURCHARGES.

Sec. 36.456. DESIRED FUTURE CONDITIONS.

Sec. 36.457. OTHER LAWS NOT AFFECTED. This subchapter does not affect the ability to regulate groundwater as authorized under:

- (1) Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, for the Edwards Aquifer Authority;
- (2) Chapter 8801, Special District Local Laws Code, for the Harris-Galveston Subsidence District;
- (3) Chapter 8834, Special District Local Laws Code, for the Fort Bend Subsidence District;
- (4) Chapter 8802, Special District Local Laws Code, for the Barton Springs-Edwards Aquifer Conservation District; or
- (5) Chapter 8811, Special District Local Laws Code, for the Corpus Christi Aquifer Storage and Recovery Conservation District.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.