

## **BILL ANALYSIS**

Senate Research Center  
82R12117 SGA-F

H.B. 3109  
By: Craddick (Seliger)  
Natural Resources  
5/17/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Legislature recognizes the importance of an adequate water supply for the residents of Texas and through legislation has sought to encourage political subdivisions to plan for and finance their future water needs. Furthermore, the Texas Legislature through legislation has allowed certain municipalities and other political subdivisions to make long-range plans regarding the supply and availability of water. H.B. 3109 reaffirms the concept that groundwater production should also be encouraged to provide for conservation as well as the prevention of waste of groundwater. H.B. 3109 recognizes the importance of a local governmental entity's ability to manage its own resources to meet the needs of its citizens today and in the future.

H.B. 3109 amends current law relating to the rulemaking power of certain groundwater conservation districts.

### **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 36.121, Water Code, to require a groundwater conservation district that is created under this chapter on or after September 1, 1991, except as provided by Section 36.117 (Exemptions; Exception; Limitations), to exempt from regulation under this chapter a well and any water produced or to be produced by a well that is located in a county that has a population of 14,000 or less if the water is to be used solely to supply a municipality that has a population of 121,000 or less and the rights to the water produced from the well are owned by a political subdivision that is not a municipality, or by a municipality that has a population of 115,000 or less, rather than a population of 100,000 or less, and that purchased, owned, or held rights to the water before the date on which the district was created, regardless of the date the well is drilled or the water is produced.

SECTION 2. Effective date: upon passage or September 1, 2011.