

BILL ANALYSIS

Senate Research Center

H.B. 3330
By: Walker (Duncan)
Natural Resources
5/5/1999
Engrossed

DIGEST

Currently, Chapter 32 of the Water Code regulates water well drillers. This bill would modify the grounds for water well driller license revocation, suspension, and reprimand, and would modify the enforcement process, allowing for administrative penalties for violations, and would set a time limit on the right to contest an order issued by the Texas Commission on Licensing and Regulation.

PURPOSE

As proposed, H.B. 3330 modifies the grounds for water well driller license revocation, suspension, and reprimand, and modifies the enforcement process, allowing for administrative penalties for violations, and sets a time limit on the right to contest an order issued by the Texas Commission on Licensing and Regulation.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.010, Water Code, by adding Subsection (b), as follows:

(b) Provides that grounds for revocation, suspension, or reprimand of a water well driller's license include intentionally misstating or misrepresenting a fact on an application or well log or to a person for whom a well is being drilled, deepened, or otherwise altered; failing to keep and transmit well logs; failing to register a well; failing to advise a person for whom a well is being drilled of specified hazards; failing to complete a well in accordance with standards and procedures; or being an incompetent driller.

SECTION 2. Amends Section 32.011, Water Code, by adding Subsection (c), as follows:

(c) Authorizes the assessment of an administrative penalty only after the person charged with a violation has been given an opportunity for a public hearing.

SECTION 3. Amends Section 32.014(b), Water Code, to require money collected under this chapter to be deposited to the credit of the water well drillers account, rather than the commission occupational licensing account.

SECTION 4. Amends Section 32.012(b), Water Code, to require money collected under this chapter to be deposited to the credit of the water well drillers account, rather than the commission occupational licensing account.

SECTION 5. Emergency clause.
Effective date: upon passage.