

## **BILL ANALYSIS**

Senate Research Center  
76R8044 DRH-D

S.B. 1323  
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4/19/1999  
As Filed

### **DIGEST**

Current law does not require developers of real estate that are intended to rely on groundwater to show proof of an adequate groundwater supply before property is sold. This leads to problems as rural areas become developed and increasing demands are placed on an inadequate supply. S.B. 1323 would establish provisions requiring certain plats for the subdivision of land to include proof of ground water supply.

### **PURPOSE**

As proposed, S.B. 1323 requires certain plats for the subdivision of land to include proof of groundwater supply.

### **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 Chapter 212A, Local Government Code, by adding Section 212.0101, as follows:

Sec. 212.0101. **ADDITIONAL REQUIREMENTS: USE OF GROUNDWATER.** Prohibits the municipal authority responsible for approving plats from approving a plat for the subdivision of a tract of land for which the intended source of the water supply is groundwater under that land unless the plat application has attached to it a statement regarding the groundwater. Requires the statement to be in a form acceptable to and to be approved by the Texas Natural Resource Conservation Commission (TNRCC).

SECTION 2. Amends Chapter 232A, Local Government Code, by adding Section 232.0031, as follows:

Sec. 232.0031. **ADDITIONAL REQUIREMENTS: USE OF GROUNDWATER.** Prohibits the commissioners court of a county from approving a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land, unless the plat application has a statement containing certain information attached to it. Requires the statement to be in a form acceptable to and to be approved by TNRCC

SECTION 3. Effective date: September 1, 1999.

Makes application of this Act prospective.