

BILL ANALYSIS

Senate Research Center
77R11358 SGA-F

H.B. 3037
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

Current law provides only minimum guidelines regarding the ability of groundwater conservation districts (district) to regulate the spacing and production of wells. As a result, districts must do their best to interpret what latitude they have in regard to regulating wells and enforcing those regulations. H.B. 3037 provides more explicit guidelines.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution in SECTION 1 (Section 36.116, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 36.116, Water Code, as follows:

Sec. 36.116. REGULATION OF SPACING AND PRODUCTION. (a) Authorizes a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution (district) by rule, to regulate the spacing of water wells and the production of groundwater by certain requirements and limitations.

(b) Provides that any spacing or production requirements adopted by a district under Subsection (a) do not apply to a dewatering or monitoring well drilled for mining purposes under a permit issued by the Railroad Commission of Texas.

SECTION 2. Effective date: upon passage or September 1, 2001.