



Legislative Update

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Texas Water Conservation Association

Post Oak Savannah GCD Groundwater Summit
August 12, 2015



83rd Interim Charges – House

- State Water Plan funding
- Groundwater management
- Brackish groundwater
- Voluntary land/water conservation
- Aquifer storage and recovery (ASR)





83rd Interim Charges – Senate

- Brackish groundwater and ASR
- Regulatory review
- Environmental permitting
- State Water Plan funding





TWCA Groundwater Committee

- 60+ TWCA members representing multiple groundwater interests
- 12 subcommittees and multiple “drafting groups”
- Concepts required 90% support to move forward
- Developed 7 pieces of draft legislation
- Committee could not reach consensus on brackish groundwater

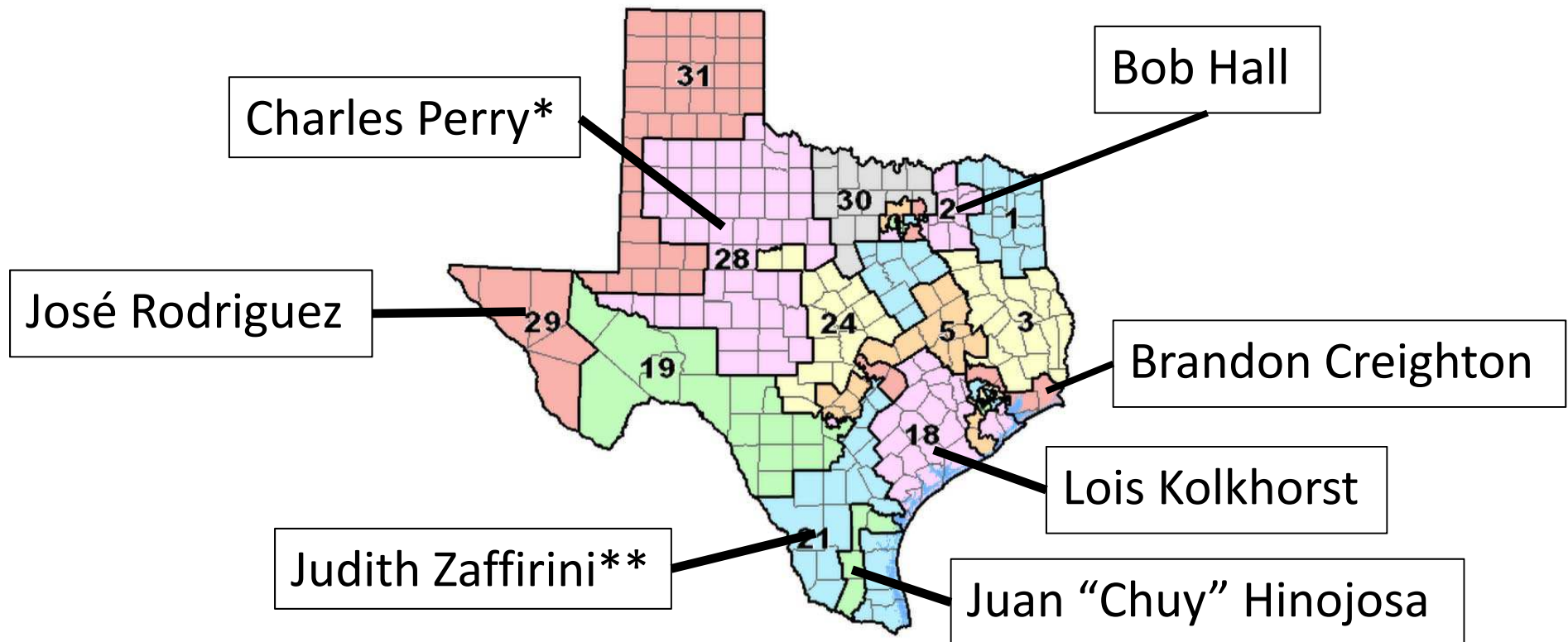


Session at-a-Glance

- Total bills filed: 6,276 (7% increase)
- Total passage rate: 20% (4% decrease)
- Total bills tracked by TWCA: 350
- TWCA priority bills: 142
- Priority bills that made it to the governor: 34 (24%)
- Vetoed priority bills: 1

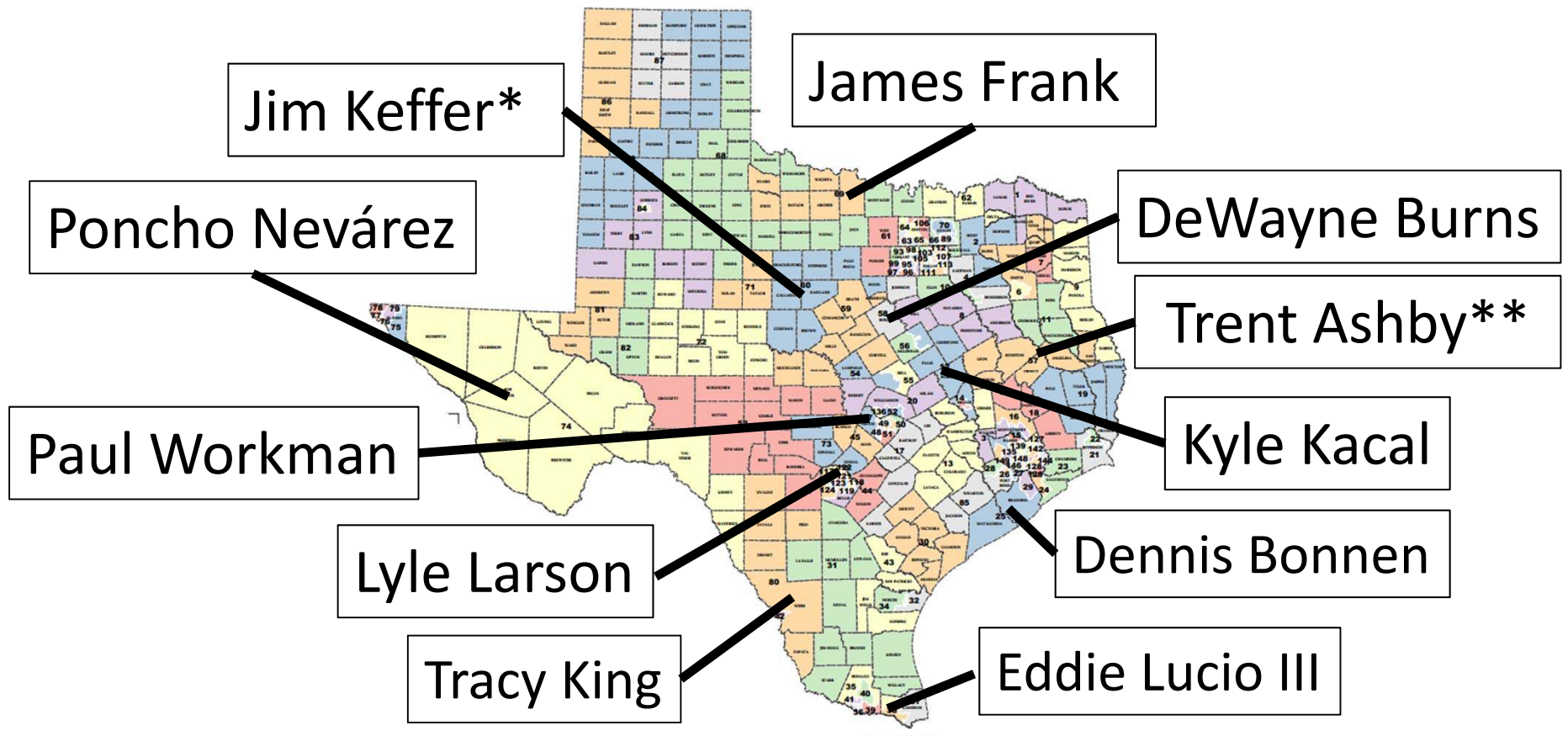


Senate Ag, Water, & Rural Affairs





House Natural Resources





TWCA Consensus Bills Filed

- HB 655 – ASR Bill
- HB 930 – TDLR Bill
- HB 950 – State Auditors’ Office Bill
- HB 1221 – Seller’s Disclosure Bill
- HB 1248 – Permitting Bill
- HB 2179 – Hearings Bill
- HB 2767 – Chapter 36 Cleanup



TWCA Consensus Bills Passed

- HB 655 – ASR Bill
- HB 930 – TDLR Bill
- ~~HB 950 – State Auditors' Office Bill~~
- HB 1221 – Seller's Disclosure Bill
- HB 1248 – Permitting Bill
- HB 2179 – Hearings Bill
- HB 2767 – Chapter 36 Cleanup



HB 655 – ASR

- Streamlines permitting requirements for ASR projects
- Surface water right amendment no longer required
- TCEQ has exclusive jurisdiction *up to the amount authorized for withdrawal*
- GCD rules apply to withdrawals beyond authorized amount (all wells subject to GCD registration requirements)
- Includes water quality, water quantity, monitoring, and reporting considerations



HB 930 – TDLR

- TDLR cancelled its apprentice programs for water well drillers and pump installers in 2012 due to a lack of proper statutory authority
- HB 930 authorizes TDLR to reinstate the programs






HB 1221 – Seller’s Disclosure

- Requires seller of residential property to disclose whether any portion of the property is located in a GCD

10-23-2013

 APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

SELLER'S DISCLOSURE OF PROPERTY CONDITION

CONCERNING THE PROPERTY AT _____
(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller ☐ is ☐ is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? _____

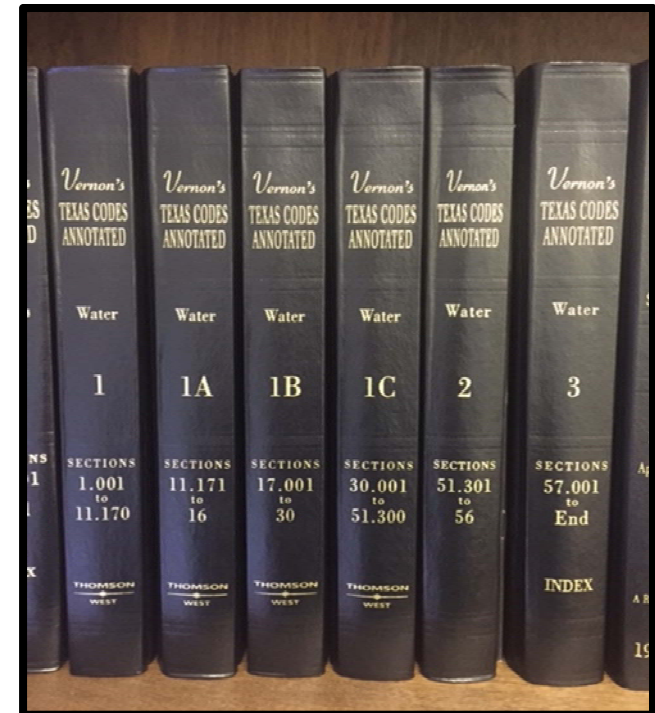
1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

<input type="checkbox"/> Range	<input type="checkbox"/> Oven	<input type="checkbox"/> Microwave
<input type="checkbox"/> Dishwasher	<input type="checkbox"/> Trash Compactor	<input type="checkbox"/> Disposal



HBs 2179 and 2767 – Cleanup

- HB 2179 clarifies contested case hearing procedures at GCDs
- HB 2767 updates Chapter 36, Water Code, and makes conforming changes throughout





SB 854 – Permitting

- Permitting certainty bill
- GCDs may choose permit term length
- GCDs must automatically renew a permit if the permittee is not seeking an amendment and conditions have not changed
- If the permittee does seek an amendment, the existing permit remains in effect until the amendment process is complete
- GCDs may initiate an amendment to a permit in accordance with the GCD's rules



HB 30 – Brackish Groundwater

- Requires TWDB to study brackish groundwater:
 - “Brackish groundwater production zones”
 - 30- and 50-year period production amounts
- RWPGs must consider desalination
- Original language related to GCD permitting requirements was removed from final bill



HB 200 – DFC Appeals

- Adds a definition for “best available science” to Chapter 36
- Expands the purpose of Chapter 36
- Limits a GCD’s recovery of attorneys’ fees to only issues on which the district prevails
- Establishes a contested case hearing process for the appeal of a desired future condition at a GCD



More Important Bills

- HB 1232 – TWDB mapping
- HB 1378 – financial reports
- HB 1655 – notice along impoundments
- HB 3163 – personal liability of board members
- HB 3357 – electronic notice of meetings
- HB 4112 – common law property right
- SB 532 – sunset review of river authorities
- SB 1812 – eminent domain database



Even MORE Bills



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Archived Legislative Documents

84th Legislature

- [Legislative Wrap Up](#)
- [TWCA All Bills of Interest Passed](#)
- [TWCA Priority Bills of Interest Passed](#)

83rd Legislature

- [TWCA All Bills of Interest Passed](#)

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Post-Session

- Interim charges will likely be released this fall
- TWCA Surface Water Committee
- Groundwater issues remain



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