

By: Seliger

S.B. No. 272

A BILL TO BE ENTITLED

AN ACT

relating to water well recordkeeping and reporting requirements,  
including the production, use, and withdrawal of groundwater.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 36.111, Water Code, is amended to read as follows:

Sec. 36.111. RECORDS AND REPORTS. (a) The district shall ~~may~~ require that records be kept and reports be made of the drilling, equipping, and completing of water wells and of the production and use of groundwater.

(b) In implementing Subsection (a), a district may adopt rules, consistent with rules adopted by the Texas Water Development Board under Subsection (c), that require an owner or operator of a water well that is required to be registered with or permitted by the district ~~[, except for the owner or operator of a well that is exempt from permit requirements under Section 36.117(b)(1),]~~ to report groundwater withdrawals ~~[using reasonable and appropriate reporting methods and frequency].~~

(c) The Texas Water Development Board, after consulting with representatives of districts regarding reasonable and appropriate reporting methods and frequency of reporting, shall adopt rules requiring the owner or operator of a well to report groundwater withdrawals to the district in which the well is located. In adopting rules under this subsection, the Texas Water

1 Development Board:

2 (1) must consider all methods of tracking groundwater  
3 withdrawals, including metering and formulas;

4 (2) must provide for the exemption of a well that is  
5 exempt from permit requirements under Section 36.117(b)(1);

6 (3) may not discriminate based on well type, but may  
7 provide for the exemption of:

8 (A) domestic wells;

9 (B) livestock wells;

10 (C) wells that have a capacity of less than 100  
11 gallons per minute; and

12 (D) wells that produce less than 10 acre feet  
13 annually; and

14 (4) regarding wells that are not located in a  
15 district, must require the owner or operator of the well to report  
16 groundwater withdrawals to the Texas Water Development Board.

17 SECTION 2. The Texas Water Development Board shall adopt  
18 the rules required by Subsection (c), Section 36.111, Water Code,  
19 as added by this Act, as soon as practicable after the effective  
20 date of this Act.

21 SECTION 3. This Act takes effect September 1, 2013.