

By: Isaac

H.B. No. 3405

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the territory and authority of the Barton
3 Springs-Edwards Aquifer Conservation District to regulate certain
4 wells for the production of groundwater.

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

6 SECTION 1. Subchapter A, Chapter 8802, Special District
7 Local Laws Code, is amended by adding Section 8802.0035 to read as
8 follows:

9 Sec. 8802.0035. SHARED TERRITORY; JURISDICTION. (a) The
10 territory of the district includes any territory that is:

11 (1) inside the boundaries of the Edwards Aquifer

13 (2) in Haas County.

14 (b) The Edwards Aquifer Authority has jurisdiction over any
15 well that is drilled to produce water from the Edwards Aquifer in
16 the shared territory described by Subsection (a)

17 (c) The district has jurisdiction over any well that is
18 drilled to produce water from any aquifer other than the Edwards
19 Aquifer in the shared territory described by Subsection (a).

20 (d) The district has jurisdiction over any well that is
21 drilled to produce water from the Edwards Aquifer or any other
22 aquifer in the territory described by Section 8802.003.

23 SECTION 2. As soon as practicable after the effective date
24 of this Act, and in conformance with the requirements of Section

1 8802.053, Special District Local Laws Code, the board of directors
2 of the Barton Springs-Edwards Aquifer Conservation District shall
3 revise the single-member districts as the board considers
4 appropriate to reflect the changes in territory made by Section
5 8802.0035, Special District Local Laws Code, as added by this Act.

6 SECTION 3. (a) The legislature validates and confirms all
7 acts and proceedings of the board of directors of the Barton
8 Springs-Edwards Aquifer Conservation District that were taken
9 before the effective date of this Act.

10 (b) Subsection (a) of this section does not apply to any
11 matter that on the effective date of this Act:

12 (1) is involved in litigation if the litigation
13 ultimately results in the matter being held invalid by a final
14 judgment of a court; or

15 (2) has been held invalid by a final judgment of a
16 court.

17 SECTION 4. (a) The legal notice of the intention to
18 introduce this Act, setting forth the general substance of this
19 Act, has been published as provided by law, and the notice and a
20 copy of this Act have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

24 (b) The governor, one of the required recipients, has
25 submitted the notice and Act to the Texas Commission on
26 Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

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1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

4 (d) All requirements of the constitution and laws of this
5 state and the rules and procedures of the legislature with respect
6 to the notice, introduction, and passage of this Act are fulfilled
7 and accomplished.

8 SECTION 5. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2015.