

1-1 By: Buckingham S.B. No. 2068
 1-2 (In the Senate - Filed March 10, 2017; March 28, 2017, read
 1-3 first time and referred to Committee on Agriculture, Water & Rural
 1-4 Affairs; May 3, 2017, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the plugging or capping of abandoned, deteriorated,
 1-18 open, or uncovered water wells in the Bandera County River
 1-19 Authority and Groundwater District.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 654, Acts of the 71st Legislature,
 1-22 Regular Session, 1989, is amended by adding Section 6A to read as
 1-23 follows:

1-24 Sec. 6A. ABANDONED, DETERIORATED, OPEN, OR UNCOVERED WATER
 1-25 WELLS. (a) In this section:

1-26 (1) "Abandoned well" and "deteriorated well" have the
 1-27 meanings assigned by Section 1901.255, Occupations Code.

1-28 (2) "Open or uncovered well" has the meaning assigned
 1-29 by Section 36.118, Water Code.

1-30 (b) The district may enter into a contract with a licensed
 1-31 water well driller to or a district employee may:

1-32 (1) cap an open, uncovered, or abandoned well; or

1-33 (2) plug and permanently close a deteriorated well.

1-34 (c) A district employee may plug a well under Subsection (b)
 1-35 only if the employee has received training in the proper method of
 1-36 plugging a well located in a karst topographic area.

1-37 (d) The district may require the owner or lessee of land on
 1-38 which an open or uncovered well is located to keep the well
 1-39 permanently closed or capped as provided by Section 36.118, Water
 1-40 Code.

1-41 (e) The district may use any money available to the
 1-42 district, including money from grants, fees, or tax revenues, to
 1-43 pay reasonable expenses incurred by the district in plugging or
 1-44 capping wells on land in the district under this section of this
 1-45 Act. The reasonable expenses constitute a lien on the land on which
 1-46 the well is located in accordance with Section 36.118(e), Water
 1-47 Code.

1-48 (f) The district may enforce this section against any person
 1-49 by injunction, mandatory injunction, or other appropriate remedy in
 1-50 a court of competent jurisdiction as provided by Section 36.102,
 1-51 Water Code.

1-52 SECTION 2. This Act takes effect immediately if it receives
 1-53 a vote of two-thirds of all the members elected to each house, as
 1-54 provided by Section 39, Article III, Texas Constitution. If this
 1-55 Act does not receive the vote necessary for immediate effect, this
 1-56 Act takes effect September 1, 2017.

1-57 * * * * *