

1-1 By: Campbell, Zaffirini S.B. No. 520  
1-2 (In the Senate - Filed January 29, 2019; February 14, 2019,  
1-3 read first time and referred to Committee on Water & Rural Affairs;  
1-4 April 4, 2019, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 4, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Perry	X		
1-9	Creighton	X		
1-10	Alvarado	X		
1-11	Johnson	X		
1-12	Kolkhorst	X		
1-13	Rodríguez	X		
1-14	Taylor	X		

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

1-17 relating to the storage and recovery of water in a portion of the  
1-18 Edwards Aquifer.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 1.44, Chapter 626, Acts of the 73rd  
1-21 Legislature, Regular Session, 1993, is amended by amending  
1-22 Subsections (c) and (e) and adding Subsection (c-1) to read as  
1-23 follows:

1-24 (c) Except as provided by Subsection (c-1), the [The]  
1-25 political subdivision causing artificial recharge of the aquifer is  
1-26 entitled to withdraw during any 12-month period the measured amount  
1-27 of water actually injected or artificially recharged during the  
1-28 preceding 12-month period, as demonstrated and established by  
1-29 expert testimony, less an amount determined by the authority to:

1-30 (1) account for that part of the artificially  
1-31 recharged water discharged through springs; and

1-32 (2) compensate the authority in lieu of users' fees.

1-33 (c-1) A political subdivision causing artificial recharge  
1-34 of a portion of the aquifer that contains groundwater with a total  
1-35 dissolved solids concentration of more than 5,000 milligrams per  
1-36 liter is entitled to withdraw the measured amount of water actually  
1-37 injected or artificially recharged.

1-38 (e) The authority may contract for injection or artificial  
1-39 recharge under this section only if provision is made for  
1-40 protecting and maintaining the quality of groundwater in the  
1-41 receiving part of the aquifer, and:

1-42 (1) the water used for artificial recharge is  
1-43 groundwater withdrawn from the aquifer; ~~or~~

1-44 (2) the water is recharged through a natural recharge  
1-45 feature; or

1-46 (3) the water is injected by a municipally owned  
1-47 utility owned by the City of New Braunfels, and:

1-48 (A) the water has a total dissolved solids  
1-49 concentration of less than 1,500 milligrams per liter and is not  
1-50 domestic wastewater, municipal wastewater, or reclaimed water as  
1-51 those terms are defined by 30 T.A.C. Chapter 210, effective October  
1-52 31, 2018; and

1-53 (B) the injection well terminates in a portion of  
1-54 the aquifer that contains groundwater with a total dissolved solids  
1-55 concentration of more than 5,000 milligrams per liter.

1-56 SECTION 2. Section 27.051(i), Water Code, is amended to  
1-57 read as follows:

1-58 (i) For purposes of this subsection, "Edwards Aquifer" has  
1-59 the meaning assigned by Section 26.046(a). Except as otherwise  
1-60 provided by this subsection, the [The] commission may not authorize  
1-61 by rule or permit an injection well that transects or terminates in

2-1 the Edwards Aquifer. The commission by rule may authorize:  
2-2 (1) injection of groundwater withdrawn from the  
2-3 Edwards Aquifer; [~~or~~]  
2-4 (2) injections of storm water, flood water, or  
2-5 groundwater through improved sinkholes or caves located in karst  
2-6 topographic areas; or  
2-7 (3) injections of water made in accordance with  
2-8 Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature,  
2-9 Regular Session, 1993. [~~For purposes of this subsection, "Edwards~~  
2-10 ~~Aquifer" has the meaning assigned by Section 26.046(a).~~]  
2-11 SECTION 3. This Act takes effect September 1, 2019.

2-12 \* \* \* \* \*