

1-1 By: Perry S.B. No. 1746
 1-2 (In the Senate - Filed March 7, 2023; March 16, 2023, read
 1-3 first time and referred to Committee on Water, Agriculture & Rural
 1-4 Affairs; April 4, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 April 4, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1746 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to an exemption from the requirement to obtain a permit
 1-22 from a groundwater conservation district for certain temporary
 1-23 water wells.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 36.117, Water Code, is amended by
 1-26 amending Subsections (b) and (d) and adding Subsection (d-1) to
 1-27 read as follows:

1-28 (b) Except as provided by this section, a district shall
 1-29 provide an exemption from the district requirement to obtain a
 1-30 permit for:

1-31 (1) drilling or operating a well used solely for
 1-32 domestic use or for providing water for livestock or poultry if the
 1-33 well is:

1-34 (A) located or to be located on a tract of land
 1-35 larger than 10 acres; and

1-36 (B) drilled, completed, or equipped so that it is
 1-37 incapable of producing more than 25,000 gallons of groundwater a
 1-38 day;

1-39 (2) drilling a water well used solely to supply water
 1-40 for a rig that is actively engaged in drilling or exploration
 1-41 operations for an oil or gas well permitted by the Railroad
 1-42 Commission of Texas provided that the person holding the permit is
 1-43 responsible for drilling and operating the water well and the water
 1-44 well is located on the same lease or field associated with the
 1-45 drilling rig; ~~or~~

1-46 (3) drilling a water well authorized under a permit
 1-47 issued by the Railroad Commission of Texas under Chapter 134,
 1-48 Natural Resources Code, or for production from the well to the
 1-49 extent the withdrawals are required for mining activities
 1-50 regardless of any subsequent use of the water; or

1-51 (4) drilling a water well for temporary use to supply
 1-52 water for a rig that is actively engaged in drilling a groundwater
 1-53 production well permitted by the district.

1-54 (d) A district may cancel a previously granted exemption and
 1-55 may require an operating permit for or restrict production from a
 1-56 well and assess any appropriate fees if:

1-57 (1) the groundwater withdrawals that were exempted
 1-58 under Subsection (b)(1) are no longer used solely for domestic use
 1-59 or to provide water for livestock or poultry;

1-60 (2) the groundwater withdrawals that were exempted

2-1 under Subsection (b)(2) are no longer used solely to supply water
2-2 for a rig that is actively engaged in drilling or exploration
2-3 operations for an oil or gas well permitted by the Railroad
2-4 Commission of Texas; [~~or~~]

2-5 (3) the groundwater withdrawals that were exempted
2-6 under Subsection (b)(3) are no longer necessary for mining
2-7 activities or are greater than the amount necessary for mining
2-8 activities specified in the permit issued by the Railroad
2-9 Commission of Texas under Chapter 134, Natural Resources Code; or

2-10 (4) the groundwater withdrawals that were exempted
2-11 under Subsection (b)(4) are no longer used solely to supply water
2-12 for a rig that is actively engaged in drilling a groundwater
2-13 production well permitted by the district.

2-14 (d-1) Except as provided by this subsection, an exemption
2-15 for a well described by Subsection (b)(4) may not exceed 180 days.
2-16 A district may grant an extension of the exemption until the well is
2-17 complete.

2-18 SECTION 2. This Act takes effect September 1, 2023.

2-19 * * * * *