

1-1 By: Perry S.B. No. 1855  
1-2 (In the Senate - Filed March 4, 2025; March 17, 2025, read  
1-3 first time and referred to Committee on Water, Agriculture and  
1-4 Rural Affairs; April 7, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 April 7, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Perry	X		
1-10	Hancock	X		
1-11	Birdwell	X		
1-12	Blanco	X		
1-13	Gutierrez	X		
1-14	Hinojosa of Nueces	X		
1-15	Johnson	X		
1-16	Kolkhorst	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1855 By: Perry

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

1-21 relating to requirements that certain plats for the subdivision of  
1-22 land include evidence of groundwater supply.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 212.0101, Local Government Code, is  
1-25 amended by amending Subsections (a) and (b) and adding Subsection  
1-26 (a-3) to read as follows:

1-27 (a) Except as provided by Subsection (a-1), a plat  
1-28 application for the subdivision of a tract of land for which the  
1-29 source of the water supply intended for the subdivision is  
1-30 groundwater under that land must have attached to it a statement  
1-31 that:

1-32 (1) is prepared by an engineer licensed to practice in  
1-33 this state or a geoscientist licensed to practice in this state;  
1-34 ~~and~~

1-35 (2) certifies that adequate groundwater is available  
1-36 for the subdivision; and

1-37 (3) complies with the rules adopted by the Texas  
1-38 Commission on Environmental Quality under Subsection (b).

1-39 (a-3) A municipal authority shall disapprove a plat  
1-40 application if the application fails to comply with the  
1-41 requirements of this section.

1-42 (b) The Texas Commission on Environmental Quality by rule  
1-43 shall establish:

1-44 (1) the appropriate form and content of a  
1-45 certification to be attached to a plat application under this  
1-46 section; and

1-47 (2) what constitutes credible evidence of groundwater  
1-48 availability for the purpose of Subsection (a-1)(1).

1-49 SECTION 2. Section 232.0032, Local Government Code, is  
1-50 amended by amending Subsections (a) and (b) and adding Subsection  
1-51 (a-3) to read as follows:

1-52 (a) Except as provided by Subsection (a-1), a plat  
1-53 application for the subdivision of a tract of land for which the  
1-54 source of the water supply intended for the subdivision is  
1-55 groundwater under that land must have attached to it a statement  
1-56 that:

1-57 (1) is prepared by an engineer licensed to practice in  
1-58 this state or a geoscientist licensed to practice in this state;  
1-59 ~~and~~

1-60 (2) certifies that adequate groundwater is available

for the subdivision; and

(3) complies with the rules adopted by the Texas Commission on Environmental Quality under Subsection (b).

(a-3) A commissioners court shall disapprove a plat application if the application fails to comply with the requirements of this section.

(b) The Texas Commission on Environmental Quality by rule shall establish:

(1) the appropriate form and content of a certification to be attached to a plat application under this section; and

(2) what constitutes credible evidence of groundwater availability for the purpose of Subsection (a-1)(1).

SECTION 3. Section 35.019(a), Water Code, is amended to read as follows:

(a) Notwithstanding Section 232.001(h), Local Government Code, the ~~[The]~~ commissioners court of a county in a priority groundwater management area may adopt water availability requirements in an area where platting is required if the court determines that the requirements are necessary to prevent current or projected water use in the county from exceeding the safe sustainable yield of the county's water supply.

SECTION 4. The changes in law made by this Act apply only to a plat application filed on or after the effective date of this Act.

SECTION 5. Not later than January 1, 2026, the Texas Commission on Environmental Quality shall adopt rules as required by Sections 212.0101(b) and 232.0032(b), Local Government Code, as amended by this Act.

SECTION 6. This Act takes effect January 1, 2026.

\* \* \* \* \*