

### **Item 6c – 89th Legislative Session Update & Lege Matrix**

The Texas Legislature will convene January 14, 2025 for the 89th Legislative Session. There will be bills filed that will affect the management of groundwater. You will be made aware of any bills filed and have the opportunity as a board to not only discuss it but determine whether to support, oppose, or remain neutral on the filing.

March 14, 2025 was the deadline for the unrestricted filing of bills and joint resolutions other than local bills, emergency appropriations, and emergency matters submitted by the governor. All bills filed have now been referred to committee with some groundwater bills having been heard in committee and either passed out or left pending. Last day of the regular session (sine die) is June 2, 2025.

The General Manager will be the District's envoy to the Legislature concerning the stance taken by the District. Sabrina Brown, District Legislative Consultant, will be made aware of all decisions made and guidance provided by the Board. It has been customary for the board, once all bills have been filed, to review all bills affecting groundwater management in the District, take a position giving guidance to the General Manager and legislative consultant as visits are made to the Capitol.

Attached is a listing of all bills currently filed that concern groundwater and administration of District affairs.

BILL	AUTHOR	STATUS	COMMENTS <span style="float: right;"><i>3-17-25</i></span>
HB 309	Leo-Wilson		<b>Relating to the use by a political subdivision of public funds for lobbying and certain other activities.</b> Would amend Ch 556, government code, by adding sec. 556.0056 that would prohibit political subdivisions from spending public funds to hire a lobbyist or pay a nonprofit state association or organization that primarily represents political subdivisions and hires or contracts with a lobbyist.
HB571 HB 671	Cain Shaheen		<b>Relating to the use by a political subdivision of public funds for lobbying and certain other activities.</b> Would amend Ch 556, government code, by adding sec. 556.0056 that would prohibit political subdivisions from spending public funds to hire a lobbyist or pay a nonprofit state association or organization that primarily represents political subdivisions and hires or contracts with a lobbyist. Would not include a full-time employee of a nonprofit state association or organization from providing legislative services, communication directly with members of the legislature to provide information, or testifying before a legislative committee.
HB 638	Tepper		<b>Relating to a requirement that certain water districts make audio and video recordings of open meetings available on the Internet.</b> Would amend sec. 551.128(b-1), government code, to include districts governed by Ch 36, 49, or 60 of the water code to the list of entities required to record board meetings in both video and audio formats and make those recordings accessible online.
HB 873 SB 279	Wilson Johnson (similar)	Filed 11/12/24 Filed 1/7/25	<b>Relating to air quality permits for aggregate production operations and concrete batch plants.</b> Requires notice to GCDs for air quality permits for aggregate production operations and concrete batch plants
HB 948	Harrison	11-12-24	<b>Relating to the required posting by governmental entities of employee contracts and compensation on entity Internet websites</b> Would add Ch 621 to the government code, requiring all political subdivisions and state agencies to publish employee contracts and compensation on their websites, with penalties for noncompliance.
<b>HB 1050</b>	<b>Dorazio</b>	Filed 11/12/24	<b>Relating to the award of attorney's fees in certain suits involving a groundwater conservation district.</b> SECTION 1. Sections 36.066(g) and (h), Water Code, are amended to read as follows

		<p>This bill requires loser pay attorney fees to prevailing part.</p> <p>If GCD gets sued and loses in court, this would require GCD to pay plaintiff's attny fees.</p>	<p><i>[applies to suits filed after 9/1/25]:</i></p> <p>(g) <u>Except for</u> [<del>If the district prevails in any suit other than</del>] a suit in which a <u>district</u> [<del>it</del>] voluntarily intervenes, the <u>prevailing party in a suit governed by this section</u> [<del>district</del>] may seek and the court shall grant, in the interests of justice and as provided by Subsection (h), in the same action, recovery for attorney's fees, costs for expert witnesses, and other costs incurred by the <u>prevailing party</u> [<del>district</del>] before the court. The amount of the attorney's fees shall be fixed by the court.</p> <p>(h) <u>The court shall award to a prevailing party that</u> [<del>If the district</del>] prevails on some, but not all, of the issues in the suit [<del>, the court shall award</del>] attorney's fees and costs only for those issues on which the <u>party</u> [<del>district</del>] prevails. The <u>prevailing party</u> [<del>district</del>] has the burden of segregating the attorney's fees and costs in order for the court to make an award.</p>
HB 1080	Curry	11-12-24	<b>Relating to the authority of a political subdivision to issue debt to purchase or lease tangible personal property.</b>
<b>HB 1382</b>	<b>Virdell</b>	Filed 11/18/24	<p><b>Relating to a prohibition on weather modification and control; creating a criminal offense.</b></p> <p>Eliminates the weather modification program, effective 9/1/2025.</p> <p>Makes it a Class A misdemeanor for everyday a person engages in weather modification.</p>
HB1400 SB 718	Harris Kolkhorst	11-19-24 Heard & passed out of committee 3/19/25; Placed of General State Calendar 4/9/25;	<p><b>Relating to creation of the groundwater science, research, and innovation fund to be administered by the Texas Water Development Board.</b></p> <p>SECTION 1. Chapter 15, Water Code, is amended by adding Subchapter F-1 to read as follows:</p> <p>SUBCHAPTER F-1. GROUNDWATER SCIENCE, RESEARCH, AND INNOVATION FUND</p> <p>Sec. 15.421. DEFINITIONS. In this subchapter:</p> <p>(1) "District" means a groundwater conservation district created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, that has the authority to regulate the spacing of wells producing from groundwater reservoirs in the district and regulate the production from those wells.</p> <p>(2) "Fund" means the groundwater science, research, and innovation fund.</p> <p>Sec. 15.422. GROUNDWATER SCIENCE, RESEARCH, AND INNOVATION FUND. (a) The groundwater science, research, and innovation fund is a special fund in the state treasury to be administered by the board under this subchapter and rules adopted by the board under this subchapter.</p>

			<p>(b) The fund consists of:</p> <ol style="list-style-type: none"> <li>(1) money appropriated for transfer or deposit to the credit of the fund;</li> <li>(2) money the board transfers to the fund from any available source;</li> <li>(3) depository interest allocable to the fund and other investment returns on money in the fund;</li> <li>(4) money from gifts, grants, or donations to the fund; and</li> <li>(5) any other fees or sources of revenue that the legislature may dedicate for deposit to the fund.</li> </ol> <p>Sec. 15.423. USE OF FUND. (a) The board may use the fund only to provide financial assistance in the form of grants to finance district programs and projects that will further groundwater science, research, and innovation in this state, including local research, data, modeling, and innovative programs and projects designed to:</p> <ol style="list-style-type: none"> <li>(1) improve understanding of local groundwater conditions;</li> <li>(2) develop or improve groundwater models relied on for planning and decision-making;</li> <li>(3) improve groundwater use efficiency and increase water conservation efforts;</li> <li>(4) increase groundwater recharge; or</li> <li>(5) protect groundwater quality.</li> </ol> <p>(b) The fund may be used for any purpose described by Subsection (a) under criteria developed by the board.</p> <p>Sec. 15.424. FINANCIAL ASSISTANCE. The board shall adopt rules necessary to administer this subchapter, including rules establishing procedures for the application for and award of financial assistance, the distribution of financial assistance, and the administration of financial assistance and the fund.</p> <p>Sec. 15.425. EVALUATION OF APPLICATION. (a) When evaluating an application for financial assistance from a district, the board shall consider:</p> <ol style="list-style-type: none"> <li>(1) the expected benefit of the program or project in informing the management, planning, or decision-making of the district;</li> <li>(2) whether the program or project meets any science, data, and modeling objectives of the board;</li> <li>(3) the extent to which the program's or project's outcome may benefit the state and regional water planning processes under Sections 16.051 and 16.053; and</li> <li>(4) the district's need for financial assistance based on the district's available revenue or other sources of financial assistance available to the district.</li> </ol>
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			<p>(b) The board by resolution may approve an application if, after considering the factors listed in Subsection (a) and other relevant factors, the board finds that the public interest is served by state assistance for the program or project and the district has met the matching funds requirement under Section 15.426.</p> <p>(c) The board shall ensure that a district that receives financial assistance for a program or project provides the board with all data, science, and other research findings gathered through the implementation of the program or project for which the district received financial assistance.</p> <p>(d) The board shall ensure that at least 35 percent of the money transferred from the fund is used to fund programs or projects by districts with:</p> <ol style="list-style-type: none"> <li>(1) populations of not more than 100,000; and</li> <li>(2) annual revenues of not more than \$250,000, as determined at the close of the previous fiscal year.</li> </ol> <p>Sec. 15.426. MATCHING FUNDS REQUIRED. The board by rule may require a district that is the recipient of a grant using money from the fund to provide matching funds, which may include direct expenditures or in-kind services related to the program or project, in an amount equal to 25 percent of the amount of the grant.</p>
HB 1522	Gerdes	12-04-24 Heard & passed out of committee 3-20-25; Placed of General State Calendar 4-8-25	<p><b>Relating to notice of a meeting held under the open meetings law.</b></p> <p>Would amend sec 551.043, government code, by requiring that notice of a meeting be posted at least 3 business days before the meeting date, replacing the current requirement of 72 hrs. Would also require that any notice of a meeting at which a government body will discuss or adopt a budget, must include a physical copy of the budget.</p>
HB1523	Gerdes	12- 5-24	<p><b>Relating to a prohibition on the authorization by the Texas Commission on Environmental Quality of the use of a Class V injection well for certain aquifer storage and recovery projects.</b></p> <p>SECTION 1. Subchapter G, Chapter 27, Water Code, is amended by adding Section 27.1535 to read as follows:</p> <p><u>Sec. 27.1535. CERTAIN AUTHORIZATIONS PROHIBITED. (a) This section applies only to a Class V injection well located in any portion of the territory of a groundwater conservation district that is located wholly or partly in a county that:</u></p> <p><u>(1) has a population of more than 70,000 and less than 100,000 and contains a</u></p>

			<p><u>portion of the Colorado River; and</u></p> <p><u>(2) is adjacent to a county that has a population of one million or more.</u></p> <p><u>(b) The commission may not authorize the use of a Class V injection well for an aquifer storage and recovery project operated by a municipally owned utility that primarily provides water to a municipality that:</u></p> <p><u>(1) has a population of 750,000 or more; and</u></p> <p><u>(2) is located in a county adjacent to a county described by Subsection (a).</u></p>
HB1529	Goodwin	12- 5-24	<p><b>relating to production fees imposed by the Southwestern Travis County Groundwater Conservation District; authorizing an increase in the rate of the fee.</b></p> <p>SECTION 1. Section 8871.154, Special District Local Laws Code, is amended to read as follows:</p> <p>Sec. 8871.154. PRODUCTION FEE. The district may impose reasonable production fees on each well that is not exempt from permitting under Section 8871.103 based on the amount of water actually withdrawn from the well. The district may not impose a production fee under this section in an amount greater than <u>50 [20] cents per thousand gallons.</u></p>
HB1618	Harris Davila	12-13-24	<p><b>relating to aquifer storage and recovery projects that transect a portion of the Edwards Aquifer.</b></p> <p>SECTION 1. Section 27.051(i), Water Code, is amended to read as follows:</p> <p>(i) For purposes of this subsection, "Edwards Aquifer" has the meaning assigned by Section 26.046(a). Except as otherwise provided by this subsection, the commission may not authorize by rule or permit an injection well that transects or terminates in the Edwards Aquifer. The commission by rule <u>or permit</u> may authorize:</p> <p>(1) injection of groundwater withdrawn from the Edwards Aquifer;</p> <p>(2) injections of storm water, flood water, or groundwater through improved sinkholes or caves located in karst topographic areas; <del>[or]</del></p> <p>(3) injections of water made in accordance with Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993; <u>or</u></p> <p><u>(4) an aquifer storage and recovery project that includes an ASR injection well, as defined under Section 27.151, that transects the Edwards Aquifer in the area of Williamson County east of Interstate Highway 35 for the injection of water into a geologic formation that underlies the Edwards Aquifer.</u></p>
SB 616	Schwertner	12-13-24	
HB1633	Gerdes	12-16-24	<p><b>relating to the criteria considered by groundwater conservation districts before granting or denying a permit or permit amendment.</b></p>

SB 624	Kolkhorst	12-16-24	<p>SECTION 1. Section 36.113(d), Water Code, is amended to read as follows:</p> <p>(d) This subsection does not apply to the renewal of an operating permit issued under Section 36.1145. Before granting or denying a permit, or a permit amendment issued in accordance with Section 36.1146, the district shall consider whether:</p> <p>(1) the application conforms to the requirements prescribed by this chapter and is accompanied by the prescribed fees;</p> <p>(2) the proposed use of water unreasonably affects:</p> <p style="padding-left: 40px;">(A) existing groundwater and surface water resources; <del>or</del></p> <p style="padding-left: 40px;">(B) existing permit holders; <u>or</u></p> <p style="padding-left: 40px;">(C) <u>wells that are registered with the district and exempt from the requirement to obtain a permit under this chapter or district rules;</u></p> <p>(3) the proposed use of water is dedicated to any beneficial use;</p> <p>(4) the proposed use of water is consistent with the district's approved management plan;</p> <p>(5) if the well will be located in the Hill Country Priority Groundwater Management Area, the proposed use of water from the well is wholly or partly to provide water to a pond, lake, or reservoir to enhance the appearance of the landscape;</p> <p>(6) the applicant has agreed to avoid waste and achieve water conservation; and</p> <p>(7) the applicant has agreed that reasonable diligence will be used to protect groundwater quality and that the applicant will follow well plugging guidelines at the time of well closure.</p>
HB1689	Gerdes	12-20-24 Heard & passed out of committee 4-2-25	<p><b>relating to the use of certain groundwater export fees collected by a groundwater conservation district.</b></p> <p>SECTION 1. Section 36.207, Water Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:</p> <p>(b) A district may use funds obtained from the amount that an export fee is increased under Section 36.122(e-1) on or after January 1, 2024, only for costs related to assessing and addressing impacts associated with groundwater development, including:</p> <p style="padding-left: 40px;">(1) maintaining operability of wells significantly affected by groundwater development, <u>including wells located outside the district;</u></p> <p style="padding-left: 40px;">(2) developing or distributing alternative water supplies; and</p> <p style="padding-left: 40px;">(3) conducting aquifer monitoring, data collection, and aquifer science.</p> <p><u>(c) A district may use funds described by Subsection (b) to maintain the operability of wells described by Subsection (b)(1) that are located in another district only if the district enters</u></p>

			<u>into an interlocal contract under Chapter 791, Government Code, with the other district authorizing the funds to be used for that purpose.</u>
HB1690	Gerdes	12-20-24 Heard & passed out of committee 4-2-25	<p><b>relating to an application for a permit for the transfer of groundwater out of a groundwater conservation district.</b></p> <p>SECTION 1. Section 36.122, Water Code, is amended by adding Subsection (d-1) to read as follows:</p> <p><u>(d-1) The district shall adopt rules requiring that notice be given for an application filed to comply with this section. The notice must be:</u></p> <p style="padding-left: 40px;"><u>(1) paid for by the applicant;</u></p> <p style="padding-left: 40px;"><u>(2) sent by certified mail to:</u></p> <p style="padding-left: 80px;"><u>(A) each district that is adjacent to the district considering the application;</u></p> <p style="padding-left: 80px;"><u>(B) the commissioners court of each county in which the district considering the application is located; and</u></p> <p style="padding-left: 80px;"><u>(C) the commissioners court of each county in which a district that receives notice under Paragraph (A) is located; and</u></p> <p style="padding-left: 40px;"><u>(3) published in:</u></p> <p style="padding-left: 80px;"><u>(A) a newspaper of general circulation in the county in which the district considering the application is located; and</u></p> <p style="padding-left: 80px;"><u>(B) a newspaper of general circulation in each county in which a district that receives notice under Subdivision (2)(A) is located.</u></p>
HB 1971  SB 879	Darby  Birdwell	1-22-25 Heard & passed out of committee 3-31-25;	<p><b>Relating to an exemption for drillers or operators of closed-loop geothermal injection wells from certain requirements applicable to persons involved in activities under the jurisdiction of the Railroad Commission of Texas.</b></p> <p>SECTION 1. Section 27.037, Water Code, is amended by adding Subsection (c-1) to read as follows:</p> <p><u>(c-1) Sections 85.2021 and 91.142, Natural Resources Code, do not apply to a person who submits a request for authorization or is authorized to use a valid permit by rule issued by the railroad commission under this section.</u></p> <p>SECTION 2. Section 27.037, Water Code, as amended by this Act, applies to a permit application or materially amended permit application that is filed with the Railroad Commission of Texas on or after the effective date of this Act.</p>



HB2034	Gerdes	1-23-25	<b>Relating to the issuance of groundwater permits to certain aliens or foreign entities.</b>
HB2077	Gerdes	1-24-25	<p><b>Relating to persons eligible to appeal the desired future conditions adopted by a groundwater conservation district.</b></p> <p>Section 36.1083(a)(1), Water Code, is amended to read as follows:</p> <p>(1) "Affected person" has the meaning assigned by Section <u>36.3011</u> [<del>36.1082</del>].</p> <p><b>Sec. 36.3011. COMMISSION INQUIRY AND ACTION REGARDING DISTRICT DUTIES.</b> (a) In this section, "affected person" means, with respect to a management area:</p> <p>(1) an owner of land in the management area;</p> <p>(2) a groundwater conservation district or subsidence district in or adjacent to the management area;</p> <p>(3) a regional water planning group with a water management strategy in the management area;</p> <p>(4) a person who holds or is applying for a permit from a district in the management area;</p> <p>(5) a person with a legally defined interest in groundwater in the management area; or</p> <p>(6) any other person defined as affected by commission rule.</p>
HB2078	Gerdes	<p>1-24-25</p> <p>Prefer HB3609/SB1583</p>	<p><b>Relating to the joint planning of desired future conditions in groundwater management areas.</b></p> <p>SECTION 1. Section 36.1071(e), Water Code, is amended to read as follows:</p> <p>(e) In the management plan described under Subsection (a), the district shall:</p> <p><u>(5) include an explanation in plain language of how:</u></p> <p><u>(A) the district is monitoring and tracking the achievement of the desired future conditions established under Section 36.108; and</u></p> <p><u>(B) the district has performed in achieving the desired future conditions established under Section 36.108 over the preceding five-year joint planning period.</u></p> <p>SECTION 2. Section 36.108, Water Code, is amended by amending Subsections (c) and (d-3) and adding Subsections (c-1) and (d-5) to read as follows:</p> <p>(c) The district representatives shall meet at least annually to conduct joint planning with the other districts in the management area. <u>The representatives shall</u> [<del>and to</del>] review:</p> <p><u>(1) [the management plans,] the accomplishments of the management area;</u></p> <p><u>(2) [and] proposals to adopt new or amend existing desired future conditions;</u></p>

			<p><u>and</u></p> <p><u>(3) not less than once during each five-year period described by Subsection (d), the management plans of each district in the management area.</u></p> <p><u>(c-1) In reviewing the management plans under Subsection (c), the districts shall consider:</u></p> <p><u>(4) the degree to which each district is achieving <del>management plan achieves</del> the desired future conditions established during the joint planning process through the implementation of the district's management plan and rules.</u></p> <p><u>(d-3)</u></p> <p><u>(6) include an explanation in plain language of why a desired future condition adopted for an aquifer was changed if the desired future condition is different from the desired future condition adopted for the aquifer over the preceding five-year joint planning period; and</u></p> <p><u>(7) include a summary of how each district is performing in achieving the desired future conditions.</u></p> <p><u>(d-5) The districts and district representatives:</u></p> <p><u>(1) shall adopt desired future conditions under this section for each 50-year planning period identified by the executive administrator for the preparation of state and regional water plans;</u></p> <p><u>(2) shall identify interim values for the desired future conditions adopted under Subdivision (1) for time periods not to exceed 10 years solely to assist the districts in monitoring interim progress in achieving the desired future conditions adopted for the 50-year planning period; and</u></p> <p><u>(3) may adopt desired future conditions under this section for other time periods.</u></p>
HB2080	Gerdes	1-24-25	<p><b>Relating to the review of the duties of a groundwater conservation district by the Texas Commission on Environmental Quality.</b></p> <p>SECTION 1. Section 36.3011, Water Code, is amended by amending Subsection (d) and adding Subsections (d-1), (d-2), (d-3), (e-1), (e-2), and (e-3) to read as follows:</p> <p><u>(d-1) A review panel established under Subsection (d) is an advisory body to the commission and not a governmental body under Chapter 551 or 552, Government Code.</u></p> <p><u>(d-2) The commission shall reimburse a member appointed to the review panel for</u></p>

			<p><u>actual expenses incurred while engaging in activities on behalf of the review panel. To be eligible for reimbursement, the member must file with the executive director a verified statement, including any relevant receipts, describing the expenses incurred. A member appointed to the review panel is not entitled to a fee of office or other compensation for serving on the review panel.</u></p> <p><u>(d-3) The records and documents of the recording secretary of the proceedings of the review panel must be provided to the executive director and are public information under Chapter 552, Government Code.</u></p> <p><u>(e-1) Not later than the seventh day before the date of a public meeting or public hearing of the review panel under Subsection (e), the executive director shall provide notice of any public meeting or public hearing the review panel is directed to conduct by:</u></p> <p style="padding-left: 40px;"><u>(1) posting notice on the commission's Internet website; and</u></p> <p style="padding-left: 40px;"><u>(2) delivering notice by regular mail to:</u></p> <p style="padding-left: 80px;"><u>(A) the district that is the subject of the petition;</u></p> <p style="padding-left: 80px;"><u>(B) the petitioner; and</u></p> <p style="padding-left: 80px;"><u>(C) the county clerk of each county in the district that is the subject of the petition.</u></p> <p><u>(e-2) The commission or the review panel may submit a written request to the executive administrator for assistance on a technical issue related to the petition. The executive administrator shall provide the technical assistance not later than the 120th day after the date the executive administrator receives the request. A deadline under Subsection (c), (e), or (h) is extended by 120 days if a request for technical assistance is submitted to the executive administrator during a review phase under that subsection.</u></p> <p><u>(e-3) On request from a member of the review panel, the office of public interest counsel of the commission shall provide legal advice and assistance to the review panel. Notwithstanding Section 5.273, the office of public interest counsel:</u></p> <p style="padding-left: 40px;"><u>(1) may not participate as a party in an inquiry under this section; and</u></p> <p style="padding-left: 40px;"><u>(2) has no duty or responsibility to represent the public interest or otherwise in an inquiry except as provided by this subsection.</u></p>
HB 2347	Zweiner	2-3-25	<p><b>relating to the adoption of a water conservation program by certain counties.</b></p> <p>SECTION 1. Chapter 562, Local Government Code, is amended by adding Subchapter C to read as follows:</p>

			<p>SUBCHAPTER C. WATER CONSERVATION</p> <p>Sec. 562.051. WATER CONSERVATION PROGRAMS FOR CERTAIN COUNTIES. (a) This section applies only to a county that contains, wholly or partly, a priority groundwater management area as designated under Section 35.007, Water Code.</p> <p>(b) The commissioners court of a county by order may adopt a water conservation program. Except as provided by Subsection (c), a water conservation program adopted under this section may establish for the unincorporated area of the county, including the extraterritorial jurisdiction of a municipality, water conservation standards applicable to a development, redevelopment, or subdivision of a tract of land that begins after August 31, 2025.</p> <p>(c) Water conservation standards established under Subsection (b) do not apply to an agricultural operation, as defined by Section 251.002, Agriculture Code.</p> <p>(d) To the extent of a conflict between a county order adopted under this section and a municipal ordinance regulating the same conduct, the ordinance prevails.</p>
HB 2422	Goodwin	2-4-25	<p><b>relating to seller's disclosures regarding water services for and water rights in residential real property.</b></p> <p>SECTION 2. Subchapter A, Chapter 5, Property Code, is amended by adding Section 5.0131 to read as follows:</p> <p>Sec. 5.0131. NOTICE OF GROUNDWATER AND SURFACE WATER RIGHTS. (a) This section applies only to the sale of a fee simple interest in residential real property located in this state comprising not more than one dwelling unit and land on which the dwelling is located.</p> <p>(b) A seller of residential real property to which this section applies shall provide the purchaser of the property with a written notice describing the groundwater and surface water rights conveyed with the property.</p> <p>(c) The Texas Real Estate Commission shall develop and publish the form for the written notice required under Subsection (b). The form must require the seller to disclose information concerning:</p> <ol style="list-style-type: none"> <li>(1) whether the conveyance of the property includes any groundwater rights;</li> <li>(2) whether the conveyance of the property includes any surface water rights;</li> <li>(3) whether there are any water wells located on the property; and</li> <li>(4) if the property is located in a groundwater conservation district or a subsidence district, the name and any relevant information concerning the applicable district.</li> </ol>

			<p>(d) The notice must be delivered by the seller on or before the effective date of an executory contract binding the purchaser to purchase the property. If a contract is entered without the seller providing the notice as required by this section, the purchaser may terminate the contract for any reason not later than the seventh day after the effective date of the receiving of the notice.</p> <p>(e) The appropriate use of forms published by the Texas Real Estate Commission under this section constitutes compliance with this section.</p>
HB 2805	DeAyala	2-13-25	<p><b>relating to civil actions related to groundwater conservation districts.</b></p> <p>SECTION 1. Section 36.066, Water Code, is amended by amending Subsections (a), (g), and (h) and adding Subsection (g-1) to read as follows:</p> <p>(a) A district may sue and be sued in the courts of this state in the name of the district by and through its board. A district board member is immune from <u>personal</u> <del>[suit and immune from]</del> liability for official votes and official actions. To the extent an official vote or official action conforms to laws relating to conflicts of interest, abuse of office, or constitutional obligations, this subsection provides immunity for those actions. All courts shall take judicial notice of the creation of the district and of its boundaries.</p> <p>(g) If the <u>trial court finds by clear and convincing evidence that an administrative proceeding brought against a district and appealed to the court or a suit brought against a district was groundless and brought in bad faith</u> <del>[district prevails in any suit other than a suit in which it voluntarily intervenes]</del>, the district may seek and the court shall grant, in the interests of justice and as provided by Subsection (h), in the same action, recovery for <u>reasonable and necessary</u> attorney's fees, costs for expert witnesses <u>and depositions</u>, and other costs incurred by the district <u>in the proceeding or suit</u> <del>[before the court]</del>.</p> <p>(g-1) If the trial court finds by clear and convincing evidence that a district has <u>intentionally violated the statutory or constitutional rights of a groundwater rights owner, the rights owner may seek and the court shall grant, in the interests of justice and as provided by Subsection (h), in the same action, recovery for reasonable and necessary attorney's fees, costs for expert witnesses and depositions, and other costs incurred by the rights owner in:</u></p> <p>(1) <u>an administrative proceeding appealed to the court and arising from the rights violation; and</u></p> <p>(2) <u>a suit arising from the rights violation.</u> <del>[The amount of the attorney's fees shall be fixed by the court.]</del></p> <p>(h) <u>The court shall determine the amount of attorney's fees awarded under this section.</u></p>

			<p>If the district <u>or groundwater rights owner</u> prevails on some, but not all, of the issues in the <u>proceeding or</u> suit, the court shall award attorney's fees and costs <u>under this section</u> only for those issues on which the district <u>or rights owner</u> prevails. The district <u>or rights owner, as applicable</u>, has the burden of segregating the attorney's fees and costs in order for the court to make an award.</p> <p>SECTION 2. Section 36.066, Water Code, as amended by this Act, applies only to an action filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.</p>
HB 2812	Isaac	2-13-25	<p><b>relating to the exemption of public water supply wells from regulation, permitting, or metering by the Hays Trinity Groundwater Conservation District.</b></p>
HB 3115	Troxclair	Filed	<p>relating to the authority of the Cow Creek Groundwater Conservation</p> <p>SECTION 1. Section 8838.106(b), Special District Local Laws Code, is amended to read as follows:</p> <p>(b) The district may not:</p> <p>(1) require the owner of a well used solely for domestic or livestock purposes <u>that is exempt from permitting under Section 36.117(b)(1), Water Code</u>, to install a meter or measuring device on the well;</p>
HB3989	Raymond	Filed 03/06/2025	<p><b>Relating to the authority of the Texas Water Development Board to provide financial assistance to certain counties for brackish water desalination.</b></p> <p>SECTION 1. Section 16.053, Water Code, is amended by adding Subsection (j-1) to read as follows:</p> <p>(j-1) <u>Notwithstanding Subsection (j), the board may provide financial assistance for brackish water desalination to a county with a population greater than 250,000 located:</u></p> <p>(1) <u>on an international border; and</u></p> <p>(2) <u>wholly or partly in a management area, as defined by Section 36.001, that does not have a groundwater conservation district that is located inside the county's boundaries.</u></p>

			SECTION 2. This Act takes effect September 1, 2025.
HB3901 SB2550	Darby West	Filed 03/06/2025 Filed 03/13/2025	<p><b>Relating to an exemption of the transfer of certain rights in water from certain disclosure requirements applicable to the transfer of certain interests in real property.</b></p> <p>SECTION 1. Section 33.135(a), Natural Resources Code, is amended to read as follows:</p> <p>(a) A person who sells, transfers, or conveys an interest other than a <u>groundwater or surface water right</u> or a mineral, leasehold, or security interest in real property adjoining and abutting the tidally influenced waters of the state must include the following notice as a part of a written executory contract for the sale, transfer, or conveyance:</p> <p>The purchaser is hereby notified that the purchaser should:</p> <p>(9) of only a <u>groundwater right, surface water right,</u> mineral interest, leasehold interest, or security interest; or</p> <p>SECTION 4. Section 5.014(c), Property Code, is amended to read as follows:</p> <p>(c) This section does not apply to a transfer:</p> <p>(9) of only a <u>groundwater right, surface water right,</u> mineral interest, leasehold interest, or security interest.</p> <p>SECTION 5. Section 13.257(c), Water Code, is amended to read as follows:</p> <p>(c) This section does not apply to:</p> <p>(11) a transfer of a <u>groundwater right, surface water right, mineral interest, leasehold interest, or security interest.</u></p>
HB3935 HJR 168	Hopper	Filed 03/06/2025	<p>SECTION 1. Subchapter B, Chapter 11, Tax Code, is amended by adding Section 11.38 to read as follows:</p> <p><u>Sec. 11.38. CERTAIN LAND IN PRIORITY GROUNDWATER MANAGEMENT AREA. (a) In this section, "priority groundwater management area" has the meaning assigned by Section 35.002, Water Code.</u></p> <p><u>(b) A person is entitled to an exemption from taxation of 35 percent of the appraised value of a tract of land the person owns that is:</u></p>

			<p><u>(1) located in a priority groundwater management area;</u>  <u>(2) at least one-half acre in area, not including any portion of the tract underlying a structure;</u>  <u>(3) not irrigated; and</u>  <u>(4) not subject to appraisal under Subchapter C, D, E, or H, Chapter 23.</u></p>
HB3935	Hopper	Filed 03/06/2025	<p><b>Relating to an exemption from ad valorem taxation of a portion of the appraised value of certain land that is located in a priority groundwater management area and is not irrigated.</b></p> <p>BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:</p> <p>SECTION 1. Subchapter B, Chapter 11, Tax Code, is amended by adding Section 11.38 to read as follows:</p> <p><u>Sec. 11.38. CERTAIN LAND IN PRIORITY GROUNDWATER MANAGEMENT AREA.</u> (a) In this section, "priority groundwater management area" <u>has the meaning assigned by Section 35.002, Water Code.</u></p> <p><u>(b) A person is entitled to an exemption from taxation of 35 percent of the appraised value of a tract of land the person owns that is:</u></p> <p><u>(1) located in a priority groundwater management area;</u>  <u>(2) at least one-half acre in area, not including any portion of the tract underlying a structure;</u>  <u>(3) not irrigated; and</u>  <u>(4) not subject to appraisal under Subchapter C, D, E, or H, Chapter 23.</u></p> <p>SECTION 5. This Act takes effect January 1, 2026, but only if the constitutional amendment proposed by the 89th Legislature, Regular Session, 2025, to authorize the legislature to exempt from ad valorem taxation a portion of the appraised value of certain land that is located in a priority groundwater management area and is not irrigated is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.</p>



HB4135 SB1669	Zwiener Zaffirini	Filed 03/10/2025 Filed 2-27-25	<p><b>Relating to the regulation of stormwater management by certain counties.</b></p> <p>SECTION 1. Section 573.001, Local Government Code, is amended to read as follows:</p> <p>Sec. 573.001. COUNTY OR DISTRICT SUBJECT TO CHAPTER. This chapter applies only to:</p> <p>(1) a county with a population of 2.8 million or more;</p> <p>(2) a district or authority created under Section 59, Article XVI, Texas Constitution, that:</p> <p>(A) has boundaries coterminous with a county described by Subdivision (1); and</p> <p>(B) is authorized to provide stormwater drainage and flood control facilities;</p> <p>(3) a county with a population of more than 1.3 million for which the primary source of drinking water is an underground aquifer; or</p> <p>(4) a county [<del>with a population of 800,000 or more</del>] that:</p> <p>(A) contains a portion of the Edwards Aquifer; <u>or</u></p> <p>(B) <u>is located wholly or partly within the boundaries of the Hill Country Priority Groundwater Management</u></p>
HB4111	Guillen	Filed 03/07/2025	<p><b>Relating to representatives on groundwater management areas.</b></p> <p>SECTION 1. Section 36.108, Texas Water Code, Subsection (a) is amended to read as follows:</p> <p>Sec. 36.108. JOINT PLANNING IN MANAGEMENT AREA. (a) In this section:</p> <p>(1) "Development board" means the Texas Water Development Board.</p> <p>(2) "District representative" means the presiding officer or the presiding officer's designee for any district located wholly or partly in the management area <u>or, where a county does not have a district, any person appointed by the county commissioners.</u></p>
HB4138 SB2832	Bell Hancock	Filed 03/10/2025 Filed 03/14/2025	<p><b>relating to the expiration date of certain permits issued by groundwater conservation districts.</b></p> <p>SECTION 1. Subchapter D, Chapter 36, Water Code, is amended by adding Section 36.1141 to read as follows:</p> <p>Sec. 36.1141. EXPIRATION OF PERMITS SUBJECT TO LITIGATION. (a) A</p>

			<p><u>district shall delay the expiration date of a drilling, operating, or transfer permit, and the expiration of any associated permits issued to the permit holder by the district, if the expiration date occurs while the drilling, operating, or transfer permit holder is a party to litigation concerning the issuance or validity of the permit.</u></p> <p><u>(b) The district shall delay the expiration date until:</u></p> <p><u>(1) if the litigation ultimately results in the permit being held to be valid, the two-year anniversary of the date on which a final, nonappealable judgment in the litigation concerning the permit is issued; or</u></p> <p><u>(2) if the litigation ultimately results in the permit being held invalid, the date on which a final, nonappealable judgment in the litigation concerning the permit is issued.</u></p> <p><u>(c) This section does not apply to litigation initiated by the permit holder.</u></p> <p><u>(d) This section does not apply to a permit holder who:</u></p> <p><u>(1) is delinquent in paying a fee required by the district;</u></p> <p><u>(2) is subject to a pending enforcement action for a substantive violation of a district permit, order, or rule that has not been settled by agreement with the district or a final adjudication; or</u></p> <p><u>(3) has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a district permit, order, or rule.</u></p> <p>SECTION 2. Section 36.1141, Water Code, as added by this Act, applies only to a permit issued on or after January 1, 2022.</p> <p>SECTION 3. This Act takes effect September 1, 2025.</p>
HB 4530	Romero	Filed 3-12-25 📄	<p><b>Relating to the dedication and management of water rights placed in the Texas Water Trust.</b></p>
HB 4572	Morales Shaw	Filed 3-12-25	<p><b>relating to the regulation by the Railroad Commission of Texas of certain pits used for the storage and disposal of oil and gas waste.</b></p> <p>SECTION 1. Subchapter D, Chapter 91, Natural Resources Code, is amended by adding Section 91.119 to read as follows:</p> <p><u>Sec. 91.119. REGULATIONS REGARDING RESERVE AND MUD CIRCULATION PITS. (a) In this section:</u></p> <p><u>(1) "Mud circulation pit" means a pit used in conjunction with a drilling rig for the storage of drilling fluid being used in drilling operations.</u></p> <p><u>(2) "Reserve pit" means a pit used in conjunction with a drilling rig for collecting:</u></p>

			<p><u>(A) spent drilling fluids;</u>  <u>(B) cuttings, sand, and silt; or</u>  <u>(C) wash water used for cleaning drill pipe and other equipment at the well site.</u></p> <p><u>(b) The commission shall adopt rules regarding the use of reserve pits and mud circulation pits. The rules must establish:</u></p> <p><u>(1) minimum siting standards for reserve pits and mud circulation pits;</u>  <u>(2) uniform technical, construction, sampling, and closure standards for reserve pits and mud circulation pits;</u>  <u>(3) minimum and maximum bonding and financial security requirements for a person using a reserve pit for the permanent burial of oil and gas waste;</u>  <u>(4) groundwater monitoring standards for reserve pits and mud circulation pits;</u>  <u>and</u>  <u>(5) standards for providing notice to and receiving permission from a landowner for the permanent burial of the oil and gas waste, including providing notice to the landowner of the type and volume of oil and gas waste to be buried in the reserve pit or mud circulation pit.</u></p> <p><u>(c) The standards established under Subsections (b)(1)-(4) must be consistent with analogous standards established by the commission for produced water recycling pits.</u></p> <p><u>(d) Not later than 30 days after the closure of a reserve pit or mud circulation pit used for the permanent burial of oil and gas waste, the operator must send a written notice of the burial of the oil and gas waste to the county clerk of the county in which the pit is located. The written notice must include a legal description of the location of the pit and the type and volume of oil and gas waste in the pit. After receiving notice of the oil and gas waste burial, the county clerk shall record the notice at no charge in the official public records of the county.</u></p>
HB4630	Kitzman	Filed 3-12-25	<p><b>Relating to the regulation of artesian water wells by the Texas Commission on Environmental Quality.</b></p> <p>SECTION 2. Subchapter F, Chapter 11, Water Code, is amended by adding Section 11.2011 to read as follows:</p> <p><u>Sec. 11.2011. APPLICABILITY. This subchapter, other than Sections 11.202(c) and 11.206, applies only to an artesian well drilled outside the boundaries of a groundwater conservation district, subsidence district, or other conservation and</u></p>

			<u>reclamation district with the authority to regulate the drilling, spacing, or production of water wells.</u>
HB4637	Troxclair	Filed 3-12-25	<p><b>relating to the authority of certain counties to regulate subdivision platting in regard to the use of groundwater.</b></p> <p>SECTION 1. Chapter 232, Local Government Code, is amended by adding Subchapter G to read as follows:</p> <p><b>SUBCHAPTER G. LOT SIZE REQUIREMENTS IN CERTAIN COUNTIES</b></p> <p><b>Sec. 232.201. APPLICABILITY OF SUBCHAPTER.</b> (a) This subchapter applies only to a tract of land that is:</p> <p>(1) <u>greater than 50 acres;</u></p> <p>(2) <u>proposed to be subdivided and developed for residential or commercial purposes; and</u></p> <p>(3) <u>wholly located in a county with a population of more than 44,000 and less than 44,500.</u></p> <p>(b) <u>This subchapter does not apply to a tract of land located in a water control and improvement district that was in existence on September 1, 2025.</u></p> <p><b>Sec. 232.202. MINIMUM LOT SIZE REQUIREMENT.</b> Notwithstanding any other law and except as provided by Section 232.204, the owner of a tract of land may not subdivide the land into lots that have an average lot size of less than three acres if the source of the water supply intended for the subdivision is groundwater, including groundwater sourced from a water control and improvement district or a municipal utility district.</p> <p><b>Sec. 232.203. WATER AVAILABILITY REPORT.</b> A person that submits a plat application for approval for a tract of land must include a water availability report with the application as provided by Section 232.0032.</p> <p><b>Sec. 232.204. VARIANCE FROM MINIMUM LOT SIZE REQUIREMENT.</b> On the request of an owner of a tract of land, the commissioners court of a county may grant a variance from compliance with Section 232.202 if the owner demonstrates that the development of the tract of land will include a rainwater collection system.</p> <p><b>Sec. 232.205. EXPIRATION.</b> This subchapter expires August 31, 2035.</p> <p>SECTION 2. Subchapter G, Chapter 232, Local Government Code, as added by this Act, applies only to a plat application submitted on or after the effective date of this Act.</p>
HB4772	Olcott	Filed 3-13-25	<b>Relating to exemptions from the requirement to obtain a permit from a groundwater conservation district for certain groundwater wells.</b>

			<p>SECTION 1. Section 36.117(b), Water Code, is amended to read as follows:</p> <p>(b) Except as provided by this section, a district shall provide an exemption from the district requirement to obtain a permit for:</p> <p>(1) drilling or operating a well used solely for domestic use or for providing water for livestock or poultry if the well is:</p> <p>(A) located or to be located on a tract of land larger than <u>100</u> [40] acres;</p> <p>and</p> <p>(B) drilled, completed, or equipped so that it is incapable of producing more than 25,000 gallons of groundwater a day;</p> <p>(2) drilling a water well used solely to supply water for a rig that is actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas provided that the person holding the permit is responsible for drilling and operating the water well and the water well is located on the same lease or field associated with the drilling rig;</p> <p>(3) drilling a water well authorized under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, or for production from the well to the extent the withdrawals are required for mining activities regardless of any subsequent use of the water; [Ø]</p> <p>(4) drilling a water well for temporary use to supply water for a rig that is actively engaged in drilling a groundwater production well permitted by the district; or</p> <p><u>(5) drilling or operating a well that is located or to be located on a tract of land of 100 acres or less in size and drilled, completed, or equipped so that it is incapable of producing more than 10,000 gallons of groundwater a day.</u></p>
HB4896	Garcia, Josey	Filed 3-13-25	<p><b>relating to rules and reports related to brackish groundwater production zones.</b></p> <p>SECTION 1. Section 16.060(b), Water Code, is amended to read as follows:</p> <p>(b) The board shall prepare a biennial progress report on the implementation of seawater or brackish groundwater desalination activities in the state and shall submit it to the governor, lieutenant governor, and speaker of the house of representatives not later than December 1 of each even-numbered year. The report shall include:</p> <p>(1) results of the board's studies and activities relative to seawater or brackish groundwater desalination during the preceding biennium;</p> <p>(2) identification and evaluation of research, regulatory, technical, and financial impediments to the implementation of seawater or brackish groundwater desalination projects;</p>

			<p>(3) evaluation of the role the state should play in furthering the development of large-scale seawater or brackish groundwater desalination projects in the state;</p> <p>(4) the anticipated appropriation from general revenues necessary to continue investigating water desalination activities in the state during the next biennium; and</p> <p>(5) identification and designation of local or regional brackish groundwater production zones in areas of the state with moderate to high availability and productivity of brackish groundwater that can be used to reduce the use of fresh groundwater and that:</p> <p>(A) are separated by hydrogeologic barriers sufficient to prevent significant impacts to water availability or water quality in any area of the same or other aquifers, subdivisions of aquifers, or geologic strata that have an average total dissolved solids level of 1,000 milligrams per liter or less at the time of designation of the zones; and</p> <p>(B) are not located in:</p> <p>(i) an area of the Edwards Aquifer subject to the jurisdiction of the Edwards Aquifer Authority;</p> <p>(ii) the boundaries of the:</p> <p>(a) Barton Springs-Edwards Aquifer Conservation District;</p> <p>(b) Harris-Galveston Subsidence District; or</p> <p>(c) Fort Bend Subsidence District; <u>or</u></p> <p>(iii) an aquifer, subdivision of an aquifer, or geologic stratum that:</p> <p>(a) has an average total dissolved solids level of more than 1,000 milligrams per liter; and</p> <p>(b) is serving as a significant source of water supply for municipal, domestic, or agricultural purposes at the time of designation of the zones[; <del>or</del></p> <p><del>[(iv) an area of a geologic stratum that is designated or used for wastewater injection through the use of injection wells or disposal wells permitted under Chapter 27].</del></p> <p>SECTION 2. Sections 36.1015(e) and (i), Water Code, are amended to read as follows:</p> <p>(e) The rules adopted under this section must:</p> <p>(1) provide for processing an application for a brackish groundwater production zone operating permit in the same manner as an application for an operating permit for a fresh groundwater well, except as provided by this section;</p>
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			<p>(2) allow withdrawals and rates of withdrawal of brackish groundwater from a designated brackish groundwater production zone not to exceed and consistent with the withdrawal amounts identified in Section 16.060(e);</p> <p>(3) provide for a minimum term of 30 years for a permit issued for a well that produces brackish groundwater from a designated brackish groundwater production zone;</p> <p>(4) require implementation of a monitoring system recommended by the development board to monitor water levels and water quality in the same or an adjacent aquifer, subdivision of an aquifer, or geologic stratum in which the designated brackish groundwater production zone is located;</p> <p>(5) for a project located in a designated brackish groundwater production zone in the Gulf Coast Aquifer, require reasonable monitoring by the district of land elevations to determine if production from the project is causing or is likely to cause subsidence during the permit term;</p> <p>(6) require from the holder of a permit issued under rules adopted under this section annual reports that must include:</p> <p>(A) the amount of brackish groundwater withdrawn;</p> <p>(B) the <u>annual</u> <del>[average monthly]</del> water quality of the brackish groundwater withdrawn and in the monitoring wells; and</p> <p>(C) <u>aquifer levels as measured in accordance with Subdivision (4) by monitoring wells required by the permit in:</u></p> <p>(i) <del>[both]</del> the designated brackish groundwater production zone;</p> <p>and</p> <p>(ii) <del>[in]</del> any aquifer, subdivision of an aquifer, or geologic stratum <del>[for which the permit requires monitoring];</del></p> <p>(7) provide greater access to brackish groundwater by simplifying procedure, avoiding delay in permitting, saving expense for the permit seeker, and providing flexibility to permit applicants and the district;</p> <p>(8) be consistent with and not impair property rights described by Sections 36.002(a) and (b); and</p> <p>(9) specify all additional information that must be included in an application.</p> <p>(i) The district may <del>[not]</del> schedule a hearing on the application <u>before</u> <del>[until]</del> the district receives the report from the development board described by Subsection (h).</p>
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HB5213	Zwiener	<p>Filed 3-14-25</p> <p>Adds Modeled Sustainable Groundwater</p>	<p>SECTION 3. Section 36.001, Water Code, is amended by adding Subdivisions (32) and (33) to read as follows:</p> <p><u>(32) "Modeled sustainable groundwater" means the maximum volume of water that the executive director, using best available science, determines may be withdrawn from the aquifer on an annual basis so the water table does not draw down and future withdrawals may be maintained in perpetuity.</u></p> <p><u>(33) "Total estimated recoverable storage" means the estimated amount of groundwater within an aquifer that ranges between 25 and 75 percent of the porosity-adjusted aquifer volume and accounts for:</u></p> <p><u>(A) groundwater quality, including the potential for degradation of water quality derived from current or projected future groundwater withdrawals;</u></p> <p><u>(B) the impact of current and projected future withdrawals on:</u></p> <p><u>(i) water levels; and</u></p> <p><u>(ii) land surface subsidence; and</u></p> <p><u>(C) the interaction of groundwater and surface water, including discharge from the aquifer to springs, lakes, streams, and rivers.</u></p> <p>SECTION 4. Section 36.108(d), Water Code, is amended to read as follows:</p> <p>(d) Not later than May 1, 2021, and every five years thereafter, the districts shall consider groundwater availability models and other data or information for the management area and shall propose for adoption desired future conditions for the relevant aquifers within the management area. Before voting on the proposed desired future conditions of the aquifers under Subsection (d-2), the districts shall consider:</p> <p>(1) aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;</p> <p>(2) the water supply needs and water management strategies included in the state water plan;</p> <p>(3) hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage <u>and modeled sustainable groundwater</u> as provided by the executive administrator, and the average annual recharge, inflows, and discharge;</p> <p>(4) other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;</p> <p>(5) the impact on subsidence;</p> <p>(6) socioeconomic impacts reasonably expected to occur, <u>including an analysis</u></p>
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			<p>of any indirect economic value reasonably expected to be derived from the preservation of <u>groundwater resources through sustainable management practices</u>;</p> <p>(7) the impact on the interests and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater as recognized under Section 36.002;</p> <p>(8) the feasibility of achieving the desired future condition; and</p> <p>(9) any other information relevant to the specific desired future conditions.</p> <p>SECTION 5. Section 36.109, Water Code, is amended to read as follows:</p> <p>Sec. 36.109. COLLECTION OF INFORMATION. (a) A district may collect any information the board deems necessary, including information regarding the use of groundwater, water conservation, and the practicability of recharging a groundwater reservoir. At the request of the executive administrator, the district shall provide any data collected by the district in a format acceptable to the executive administrator.</p> <p>(b) <u>To the extent practicable, a district may coordinate with the commission, the Texas Water Development Board, a river authority, or any other entity to collect information to provide insight into the interactions between groundwater and surface water for groundwater planning purposes.</u></p> <p>SECTION 6. Section 36.1132(b), Water Code, is amended to read as follows:</p> <p>(b) In issuing permits, the district shall manage total groundwater production on a long-term basis to achieve an applicable desired future condition and consider:</p> <p>(1) the modeled available groundwater <u>and modeled sustainable groundwater</u> determined by the executive administrator;</p> <p>(2) the executive administrator's estimate of the current and projected amount of groundwater produced under exemptions granted by district rules and Section 36.117;</p> <p>(3) the amount of groundwater authorized under permits previously issued by the district;</p> <p>(4) a reasonable estimate of the amount of groundwater that is actually produced under permits issued by the district; and</p> <p>(5) yearly precipitation and production patterns.</p>
HB5365	Muñoz	Filed 03/14/2025	<p><b>Relating to groundwater production restrictions imposed by certain conservation and reclamation districts for wells used wholly or partly for cemetery irrigation.</b></p>

			<p>BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:</p> <p>SECTION 1. Chapter 714, Health and Safety Code, is amended by adding Section 714.005 to read as follows:</p> <p><u>Sec. 714.005. LIMITATION ON POWER TO RESTRICT GROUNDWATER PRODUCTION FOR WELL USED WHOLLY OR PARTLY FOR CEMETERY IRRIGATION.</u></p> <p><u>(a) In this section:</u></p> <p><u>(1) "Cemetery" and "cemetery organization" have the meanings assigned by Section 711.001.</u></p> <p><u>(2) "District" means any district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, that has the authority to regulate the spacing of water wells, the production from water wells, or both.</u></p> <p><u>(b) Notwithstanding any contrary provision in Chapter 36, Water Code, or a special law governing a district, a district may not restrict the production of groundwater from a well used wholly or partly to irrigate a cemetery:</u></p> <p><u>(1) during drought conditions, to an amount less than 80 percent of the total amount the district authorizes for production during non-drought conditions; or</u></p> <p><u>(2) based on the availability of surface water or an alternative water supply for irrigation.</u></p> <p><u>(c) A district may not assess a fee or other charge against a cemetery or cemetery organization instead of limiting groundwater production for cemetery irrigation.</u></p>
SB7	Perry	Filed 3/14/25 Passed by Senate 4-2-25; Received by House 4-3-25	<p><b>Relating to the oversight and financing of certain water infrastructure matters under the jurisdiction of the Texas Water Development Board.</b></p> <p>SECTION 1.2. Section 15.153, Water Code, is amended by amending Subsection (b) and adding Subsections (e) and (f) to read as follows:</p>

			<p><u>(e) Infrastructure developed to transport water under Subsection (b)(1)(E) may not be used to transport groundwater produced from a well within this state that, at the time of production, had a total dissolved solids concentration of less than 3,000 milligrams per liter.</u></p> <p><u>(f) Money from the fund may be used to acquire another person's right acquired or authorized in accordance with state law to impound, divert, or use state water only by a lease of that right from its owner.</u></p>
SB 480	Perry	Filed 11/22/24 Passed by Senate 4-2-25; Received by House 3-11-25	<p><b>Relating to the authority of a local government to enter into an interlocal contract with certain governmental entities to participate in water research or planning activities.</b></p> <p>SECTION 1. Subchapter C, Chapter 791, Government Code, is amended by adding Section 791.038 to read as follows:</p> <p><u>Sec. 791.038. CONTRACTS FOR WATER RESEARCH OR PLANNING. A local government may contract with another local government, the state, or the federal government to jointly participate in research or planning activities related to water resources.</u></p>
SB 448	Hinojosa	Filed 11/21/24	<p><b>Public/Private Cost Sharing for Desalination Projects</b></p> <p>Sec. 2267.067. COST SHARING REQUIREMENTS FOR CERTAIN QUALIFYING PROJECTS. (a) Subject to Subsection (b), a comprehensive agreement or service contract for a qualifying project authorizing the operation of a desalination facility, including a brackish water desalination facility, shall require a private entity to pay at least 50 percent of the energy costs to operate the facility.</p> <p>(b) This section applies only after a desalination facility charges the first customer for water produced by the facility.</p>
SB 863	Perry	1-22-25	<p><b>Relating to the use of water withdrawn from the Edwards Aquifer.</b></p> <p>SECTION 1. Section 1.34(b), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended to read as follows:</p> <p>(b) Water withdrawn from the aquifer must be used within:</p> <p><u>(1) the boundaries of the authority; or</u></p> <p><u>(2) the certificated area of a retail public utility according to a certificate of convenience and necessity, as the certificate existed on September 1, 2025, any part of which was located within the boundaries of the authority on June 28, 1996.</u></p>
SB 976	Eckhardt	1-29-25	<p><b>Relating to the establishment of an advisory board to study surface water and groundwater interaction.</b></p>

SB1150	Middleton Geren	Filed 2-6-25 Heard & left pending 3-12-25	<p><b>relating to the plugging of certain inactive wells subject to the jurisdiction of the Railroad Commission of Texas.</b></p> <p>SECTION 1. Section 89.023, Natural Resources Code, is amended by amending Subsection (b) and adding Subsections (c) through (g) to read as follows:</p> <p>(b) Notwithstanding Subsection (a), an operator may not obtain an extension of the deadline for plugging an inactive well by complying with that subsection:</p> <p><u>(1) if the plugging of the well is otherwise required by commission rules or orders; or</u></p> <p><u>(2) if the inactive well:</u></p> <p><u>(A) has been an inactive well for more than 15 years; and</u></p> <p><u>(B) 25 years have elapsed since the well was completed, unless:</u></p> <p><u>(i) the commission approves an order granting an applicant's exception to plugging the inactive well; or</u></p> <p><u>(ii) the inactive well is included in an approved compliance plan under Subsection (e), in which the operator of the well commits to plug, or restore to active operation, the inactive well within a time period ending on September 1, 2040.</u></p> <p><u>(c) When considering a request under Subsection (b)(2)(B)(i) for an exception to plugging an inactive well, the commission shall consider an operator's demonstrated history of returning inactive wells to active status.</u></p> <p><u>(d) An exception approved by order of the commission under Subsection (b)(2)(B)(i) is not transferrable to another operator and shall terminate upon transfer of the well, except that a new operator of that well may seek an additional exception under Subsection (b) for that well.</u></p> <p><u>(e) An operator may request the commission or its delegate to approve a compliance plan for inactive wells. In approving a compliance plan pursuant to Subsection (b)(2)(B)(ii), the commission or its delegate shall consider the following factors:</u></p> <p><u>(1) the number of years the well has been inactive and its age;</u></p> <p><u>(2) current economic conditions;</u></p> <p><u>(3) the well operator's percentage of inactive wells as compared to its total well count;</u></p> <p><u>(4) any plan of action by the well operator to plug or bring its inactive wells into production, injection, or other service operation, which must include a compliance report to be submitted to the commission annually with the operator's P-5 renewal;</u></p> <p><u>(5) whether the operator has financial assurance to cover the actual plugging</u></p>
HB2766		Filed 2-13-25	

		<p><u>costs of each well;</u></p> <p><u>(6) the well operator's record of compliance, the history of any previous violations, and the seriousness of any previous violations;</u></p> <p><u>(7) any potential hazards to the health and safety of the public or environmental risks posed by the inactive well; and</u></p> <p><u>(8) the demonstrated good faith of the well operator.</u></p> <p><u>(f) If the commission or its delegate denies an operator's request for approval of a compliance plan pursuant to Subsection (e), the operator may request a hearing and order of the commission.</u></p> <p><u>(g) The commission shall adopt rules that provide for administrative review and approval of requests to transfer an inactive well to another operator to ensure that wells of the receiving operator are in compliance with this section.</u></p> <p>SECTION 2. Subchapter B-1, Chapter 89, Natural Resources Code, is amended by adding Section 89.031 to read as follows:</p> <p><u>Sec. 89.031. ANNUAL REPORT BY COMMISSION. On or before September 1, 2026, and each year thereafter, the commission shall prepare and submit to the governor, lieutenant governor, and each member of the legislature a report on inactive wells that includes:</u></p> <p><u>(1) the number of inactive wells in Texas;</u></p> <p><u>(2) the age and length of inactivity for the inactive wells;</u></p> <p><u>(3) the quantity of inactive wells that use each method for extending the deadline under this chapter for plugging inactive wells;</u></p> <p><u>(4) the identification of the financial assurance methods being used by operators for inactive wells under this chapter, and the quantity of the number of inactive wells for each category of financial assurance;</u></p> <p><u>(5) the number of inactive wells and total wells that were plugged in the prior 12 months, including a breakdown by commission district of wells plugged by industry and by the commission using state-managed funds;</u></p> <p><u>(6) the number of inactive wells that were returned to production, injection, or other service operation in the prior 12 months;</u></p> <p><u>(7) P-5 status statistical summary of the number of operators of inactive wells including the total number of operators and total number of inactive wells for the status categories of active P-5, P-5 Extension, Delinquent P-5, and P-5 delinquent greater than 12 months;</u></p>
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<b>SB 1154</b>	<b>Hughes</b>	Filed 2/6/25	<b>Relating to a prohibition on weather and climate modification activities by a governmental entity.</b>
SB1194	Flores	2-10-25 Passed Senate 3-27-25; Received by House 3-31-25;	<b>Relating to creating the Central Texas Water Alliance; providing authority to issue bonds; granting the power of eminent domain; providing authority to impose fees.</b>
HB 2626	Buckley		
SB 1226	<b>Hinojosa</b>	2-11-25	<b>relating to the creation of certain regional conservation and reclamation districts.</b>

			Creation of Ch. 59 District Hidalgo County area with Ch. 36 powers
SB 1583 HB 3609	Blanco Barry	Filed 2-24-25 Filed 3-3-2025	<p><b>Relating to management plans adopted by groundwater conservation districts.</b></p> <p>SECTION 1. Section 36.1071, Water Code, is amended by amending Subsection (b) and adding Subsections (b-1), (b-2), and (b-3) to read as follows:</p> <p>(b) The management plan, or any amendments to the plan, shall:</p> <p>(1) be developed using the district's best available data and forwarded to the regional water planning group for use in their planning process; <u>and</u></p> <p>(2) include:</p> <p>(A) <u>the most recently approved desired future conditions adopted under Section 36.108; and</u></p> <p>(B) <u>the amount of modeled available groundwater corresponding to the most recently approved desired future conditions.</u></p> <p>(b-1) <u>A district shall amend a management plan before the second anniversary of the adoption of desired future conditions included under Subsection (b).</u></p> <p>(b-2) <u>If a petition challenging the reasonableness of a desired future condition is filed under Section 36.1083(b), the executive administrator shall consider the management plan administratively complete if the district includes:</u></p> <p>(1) <u>the most recently approved desired future conditions adopted under Section 36.108;</u></p> <p>(2) <u>the amount of modeled available groundwater corresponding to those desired future conditions;</u></p> <p>(3) <u>a statement of the status of the petition challenging the reasonableness of a desired future condition; and</u></p> <p>(4) <u>the information required by Subsections (a) and (e).</u></p> <p>(b-3) <u>Subsection (b-2) applies until either:</u></p> <p>(1) <u>the district issues a final order under Section 36.1083(n); or</u></p> <p>(2) <u>if a desired future condition is found to be unreasonable in the final order, a new desired future condition is adopted pursuant to Section 36.108 or 36.1083(p).</u></p> <p>SECTION 2. Section 36.1072(b), Water Code, is amended to read as follows:</p> <p>(b) Within 60 days of receipt of a district's management plan adopted under Section 36.1071, readopted under Subsection (e) or (g) of this section, or amended under Section 36.1073, the executive administrator shall approve the district's plan if the plan is administratively complete. A management plan is administratively complete when it</p>

			contains the information required to be submitted under <u>Sections</u> <del>[Section]</del> 36.1071(a) and (e) or meets the requirements of Section 36.1071(b-2), if applicable. The executive administrator may determine whether conditions justify waiver of the requirements under Section 36.1071(e)(4).
SB1623	Johnson	Filed 2-25-25	<b>Relating to the dedication of certain water rights to the Texas Water Trust.</b>
SB1629	Perry	Filed 2-25-25	<b>Relating to the administration by the Texas Water Development Board of the Texas Water Bank and certain funds and accounts.</b>
SB1663 HB5207	Zaffirini Guillen	Filed 2/26/25	<p><b>relating to notification procedures concerning groundwater contamination.</b></p> <p>BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:</p> <p>SECTION 1. Section 26.408(b), Water Code, is amended to read as follows:</p> <p>(b) <u>As soon as practicable but not</u> <del>[Not]</del> later than the 30th day after the date the commission receives notice under Subsection (a) or obtains independent knowledge of groundwater contamination, the commission shall make every effort to give notice of the contamination by first class mail, e-mail, notice placed on the door of a residence, or another effective delivery method to:</p> <p>(1) each owner of a private drinking water well that may be affected by the contamination;</p> <p>(2) <del>[and to]</del> each applicable groundwater conservation district; and</p> <p>(3) <u>the residents of each residential address within one mile of the site of the contamination.</u></p>
SB1994	Hall	Filed 3-6-25	<p><b>Relating to the consideration of the provision of law enforcement, fire protection, and emergency services by a commissioners court or the Texas Commission on Environmental Quality when determining whether to grant or deny a petition for the creation of certain conservation and reclamation districts.</b></p> <p>SECTION 1. Section 16.053, Water Code, is amended by adding</p> <p>Subsection (j-1) to read as follows:</p> <p>(j-1) <u>Notwithstanding Subsection (j), the board may provide financial assistance for brackish water desalination to a county with a population greater than 250,000 located:</u></p> <p>(1) <u>on an international border; and</u></p> <p>(2) <u>wholly or partly in a management area, as defined by Section 36.001, that does not have a groundwater conservation district that is located inside the county's boundaries.</u></p>



SB2123	Zaffirini	Filed 3/10/25	<b>Relating to the authority of the Texas Water Development Board to provide financial assistance to certain counties for brackish water desalination.</b>
SB2124	Zaffirini	Filed 3/10/25	<b>Relating to publication of the Texas Groundwater Protection Committee's annual report.</b>
SB2159 HB4931	Flores Virdell	Filed 3/10/25 Filed 3/13/25	<p><b>relating to aquifer storage and recovery projects that transect a portion of the Edwards Aquifer.</b></p> <p>SECTION 1. Section 27.051(i), Water Code, is amended to read as follows:</p> <p>(i) For purposes of this subsection, "Edwards Aquifer" has the meaning assigned by Section 26.046(a). Except as otherwise provided by this subsection, the commission may not authorize by rule or permit an injection well that transects or terminates in the Edwards Aquifer. The commission by rule <u>or permit</u> may authorize:</p> <p>(1) injection of groundwater withdrawn from the Edwards Aquifer;</p> <p>(2) injections of storm water, flood water, or groundwater through improved sinkholes or caves located in karst topographic areas; [Ø]</p> <p>(3) injections of water made in accordance with Section 1.44(e)(3), Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993; <u>or</u></p> <p>(4) <u>an aquifer storage and recovery project that includes an ASR injection well, as defined by Section 27.151, that transects the Edwards Aquifer in Medina County for the injection of water into a geologic formation that underlies the Edwards Aquifer.</u></p>
SB2266	Cook	Filed 3-11-25	<b>Relating to a seller's disclosure regarding real property located within a certain distance of a state or federal superfund site.</b>
SB2389	Eckhardt	Filed 3-12-25	<b>Relating to entities authorized to provide water or sewer service.</b>
<b>SB2498</b>	<b>Zaffirini</b>	Filed 03/13/2025	<p><b>relating to the participation of certain counties in joint planning in groundwater management areas.</b></p> <p>SECTION 1. Subchapter D, Chapter 36, Water Code, is amended by adding Section</p>

			<p>36.1087 to read as follows:</p> <p><u>Sec. 36.1087. PARTICIPATION OF CERTAIN COUNTIES IN JOINT PLANNING FOR MANAGEMENT AREA. (a) A county that is located wholly or partly in a management area and that does not have within its boundaries a district located in the management area may participate in the joint planning process as provided by Sections 36.108 and 36.1081 through a representative designated by the governing body of the county.</u></p> <p><u>(b) A representative appointed under Subsection (a) is entitled to participate in the joint planning process in the same manner as a district representative in order to promote the county's interests in regional groundwater planning. The representative may present to the joint planning process information regarding desired future conditions and estimates of groundwater resources and availability.</u></p> <p><u>(c) The commission and the Texas Water Development Board shall provide to a county that has designated a representative under this section technical assistance in the joint planning process as necessary to further the county's interests in the outcome of the process.</u></p>
SB2658 HB 5188	Perry Lopez, Janie	Filed 3/13/25	<p><b>relating to an exemption from the requirement to obtain a permit from a groundwater conservation district for certain brackish groundwater wells.</b></p> <p>SECTION 1. Sections 36.117(b) and (d), Water Code, are amended to read as follows:</p> <p>(b) Except as provided by this section, a district shall provide an exemption from the district requirement to obtain a permit for:</p> <p><u>(5) drilling or operating a well for the withdrawal of groundwater from a designated brackish groundwater production zone, as defined by Section 36.1015, if the operator of the well provides the district with documentation from a licensed water well driller or another similarly qualified third party showing that the well produces water with an average total dissolved solids concentration of at least 3,000 milligrams per liter.</u></p> <p>(d) A district may cancel a previously granted exemption and may require an operating permit for or restrict production from a well and assess any appropriate fees if:</p> <p><u>(5) for groundwater withdrawals that were exempted under Subsection (b)(5):</u></p> <p><u>(A) the withdrawals are no longer from a designated brackish groundwater production zone, as defined by Section 36.1015; or</u></p> <p><u>(B) the groundwater produced has an average total dissolved solids concentration of less than 3,000 milligrams per liter.</u></p>

<p>SB2661 HB5560</p>	<p>Perry Harris</p>	<p>Filed 3/13/25 Filed 3/14/25</p>	<p><b>relating to penalties in certain suits involving a groundwater conservation district; increasing a penalty.</b></p> <p>SECTION 1. Section 36.102, Water Code, is amended by amending Subsection (b) and adding Subsection (f) to read as follows:</p> <p>(b) <u>Except as provided by Subsection (f), the [The] board by rule may set reasonable civil penalties that the district may recover from [against] any person for breach of any rule of the district in an amount not to exceed \$25,000 [\$10,000] per day per violation, and each day of a continuing violation constitutes a separate violation.</u></p> <p>(f) <u>In an enforcement action brought by a district against a person, the court may assess a penalty greater than the maximum penalty authorized under Subsection (b) if the court determines that the person gained an economic benefit as a result of the violation that was greater than the maximum penalty under Subsection (b). A penalty assessed under this subsection must be in an amount determined by the court to be necessary and appropriate to outweigh the economic benefit gained by the person as a result of the violation and discourage future violations.</u></p> <p>SECTION 2. Section 36.102, Water Code, as amended by this Act, applies only to a suit involving a groundwater conservation district that is filed on or after the effective date of this Act. A suit filed before the effective date of this Act is subject to the law in effect on the date the suit is filed, and that law is continued in effect for that purpose.</p>
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