

The 86th Legislative Session adjourned *Sine Die* yesterday. The following is a recap of the major water bills that moved through the legislative process this session. At the bottom of this report is the final matrix depicting the final outcome of all the groundwater bills tracked this session. It is important to note that the veto period ends on June 16, so any bills that have been sent to the Governor and not yet signed are still subject to the veto deadline.

Water Bills that Passed:

- [HB 720](#) by Larson - relating to the appropriations of water for recharge of aquifers and use in **aquifer storage and recovery (ASR) projects**. HB 720 amends current law relating to the appropriations of water for recharge of aquifers and use in ASR projects by authorizing TCEQ to authorize the appropriation under certain circumstances. ***HB 720 was sent to the Governor on May 26.***
- [HB 722](#) by Larson - relating to the **development of brackish groundwater**. The bill creates a new Water Code Sec. 36.1015, which allows a groundwater conservation district to adopt rules to govern the issuance of permits for the completion and operation of a well for the withdrawal of brackish groundwater from a designated brackish groundwater zone for 1) a municipal project designed to treat the brackish groundwater to drinking water standards, and 2) an electric generation project. ***HB 722 will be sent to the Governor.***
- [HB 807](#) by Larson - relating to the **state and regional water planning process**. HB 807 provides for an interregional planning council of representatives from every regional water planning group. The purposes of the council will include improving coordination among the state's 16 regional water planning groups and the TWDB as well as help facilitate dialogue on water management strategies and best practices that could affect multiple planning areas. The bill also expands the requirement for information that planning groups will be required to provide in their regional water plans. ***HB 807 was sent to the Governor on May 24.***
- [HB 1066](#) by Ashby - relating to **extensions of an expired permit for the transfer of groundwater from a groundwater conservation district**. HB 1066 addresses the circumstance when a transfer permit expires before the related operating permit for production of a well. The bill permits the groundwater conservation district to extend the permit to align with the terms of the operating permit. ***HB 1066 was signed by the Governor on May 21 with an immediate effective date.***
- [HB 2846](#) by Larson - relating to the sale of the **Allens Creek Reservoir Project**. HB 2846 provides for the transfer of the Allens Creek Reservoir Project by the City of Houston to the Brazos River Authority. The project is an off-channel reservoir on Allens Creek, a tributary of the Brazos River located near the City of Wallis in Austin County. ***HB 2846 was sent to the Governor on May 21.***
- [SB 1574](#) by Alvarado - relating to the **duties of the Texas Water Development Board**. SB 1574 removes three main obsolete and duplicative requirements from the Texas Water Code. It removes the statutory requirement for the Water Conservation Study conducted jointly between TWDB and the Texas State Soil and Water Conservation Board (TSSWCB). The Water Conservation Advisory Council, created by the legislature in 2007, now produces this study. The bill, among other things, also removes the statutory requirement for the TWDB report that evaluates best management practices in water conservation plans. By the end of fiscal year 2019 the information included in this report will be posted annually on the TWDB's website, making the report unnecessary. ***SB 1574 was signed by the Governor on May 20 and will be effective September 1, 2019.***

Water Bills that Did Not Pass:

- [HB 724](#) by Larson - relating to the authorization by the TCEQ of the discharge, diversion, and transfer or other reuse of treated brackish groundwater and return flows derived from treated brackish groundwater. The bill sought to incentivize the extraction, treatment, and use of brackish groundwater by making it easier to obtain the necessary permits from TCEQ. HB 724 passed the House, but did not receive a hearing in the Senate.

- [HB 726](#) by Larson - relating to the regulation of groundwater. The bill sought to address concerns related to certain groundwater conservation districts that have allegedly violated private property rights by unduly impeding, delaying or denying the issuance of groundwater permits. HB 726 passed the House, but did not receive a hearing in the Senate.
- [HB 3264](#) by Buckley - relating to a study by the TWDB of groundwater conditions in certain counties. The bill would have required the TWDB to engage in a scientific analysis and inquiry regarding current and projected groundwater production for the Trinity and Edwards Aquifers north of Colorado River in Bell, Burnet, Milam, Travis and Williamson counties. HB 3264 passed the House and was left pending in the Senate committee.
- [HB 3324](#) by Zwiener - relating to groundwater impact contingency planning by pipeline operators. The bill was heard in the House committee and left pending.
- [SB 1010](#) by Perry - relating to rules adopted by groundwater conservation districts overlying a common aquifer. SB 1010 would have required groundwater conservation districts to justify dissimilar rules in their management plans where they cover the same aquifer. The bill passed the Senate and was left pending in House committee.