

## **BILL ANALYSIS**

Senate Research Center  
80R4453 HLT-F

S.B. 662  
By: Wentworth  
Natural Resources  
3/21/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, when a developer wants to subdivide a tract of land that will be served by groundwater under that land, a county or municipality is authorized to require that the developer collect groundwater data and certify that adequate groundwater is available for the planned subdivision as a part of the plat application, but this information is prohibited from being shared with the Texas Water Development Board (TWDB) and relevant groundwater conservation districts. Providing such information to TWDB and groundwater conservation districts that are within the subdivision would give those entities additional data to conduct their work and manage the state's groundwater resources.

As proposed, S.B. 662 requires certain groundwater data collected by a developer to also be provided to TWDB and any relevant groundwater conservation districts that are within the subdivision.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Natural Resource Conservation Commission is redirected to the Texas Commission on Environmental Quality in SECTION 1 (Section 212.0101, Local Government Code) and SECTION 2 (Section 232.0032, Local Government Code) of this bill to reflect the change in that agency's name.

This bill expressly grants rulemaking authority to the Texas Commission on Environmental Quality in SECTION 1 (Section 212.0101, Local Government Code) and SECTION 2 (Section 232.0032, Local Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 212.0101, Local Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Redirects rulemaking authority to establish the appropriate form and content of a certification to be attached to a plat application under this section previously granted to the Texas Natural Resource Conservation Commission (TNRCC) to the Texas Commission on Environmental Quality (TCEQ) to reflect the change in that agency's name.

(c) Requires TCEQ, in consultation with the Texas Water Development Board (TWDB), by rule to require a person who submits a plat under Subsection (a) to transmit certain information to TWDB and any groundwater conservation district that includes in the district's boundaries any parts of the subdivision.

SECTION 2. Amends Section 232.0032, Local Government Code, by amending Subsection (b) and adding Subsection (c) as follows:

(b) Redirects rulemaking authority to establish the appropriate form and content of a certification to be attached to a plat application under this section previously granted to TNRCC to TCEQ to reflect the change in that agency's name.

(c) Requires TCEQ, in consultation with TWDB, by rule to require a person who submits a plat under Subsection (a) to transmit certain information to TWDB and any

groundwater conservation district that includes in the district's boundaries any parts of the subdivision.

SECTION 3. Requires TCEQ to adopt the rules required by Sections 212.0101(c) and 232.0032(c), Local Government Code, as added by this Act, not later than September 1, 2008.

SECTION 4. Effective date: September 1, 2007.