

BILL ANALYSIS

Senate Research Center
81R3130 PMO-D

S.B. 1736
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1736 is intended to correct the unintended application of Chapter 36.121 (Limitations on Rulemaking Power of Districts Over Wells in Certain Counties), Water Code, to Presidio County. This provision prevents the Presidio County Underground Water Conservation District (district) from treating all well owners and operators equally. The cities of Marfa and Presidio presently use an estimated 90 percent of all groundwater pumped in Presidio County, yet those cities are exempt from the rules of the district.

It is counterproductive to treat the two largest water users differently than all other users because it prevents the district from effectively and efficiently managing and conserving the groundwater resources of Presidio County.

As proposed, S.B. 1736 removes the current exemption from Presidio County, thereby allowing the district to gather from all of its users the data necessary for effective management and conservation of the water resources of Presidio County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5, Chapter 453, Acts of the 73rd Legislature, Regular Session, 1993, by adding Subsection (c), as follows:

(c) Provides that Section 36.121 (Limitation on Rulemaking Power of Districts Over Wells in Certain Counties), Water Code, does not apply to the Presidio County Underground Water Conservation District.

SECTION 2. Effective date: September 1, 2009.