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Chapter 763

S.B. No. 2068

1                    AN ACT

2 relating to the plugging or capping of abandoned, deteriorated,  
3 open, or uncovered water wells in the Bandera County River  
4 Authority and Groundwater District.

5            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6            SECTION 1. Chapter 654, Acts of the 71st Legislature,  
7 Regular Session, 1989, is amended by adding Section 6A to read as  
8 follows:

9            Sec. 6A. ABANDONED, DETERIORATED, OPEN, OR UNCOVERED WATER  
10 WELLS. (a) In this section:

11                    (1) "Abandoned well" and "deteriorated well" have the  
12 meanings assigned by Section 1901.255, Occupations Code.

13                    (2) "Open or uncovered well" has the meaning assigned  
14 by Section 36.118, Water Code.

15                    (b) The district may enter into a contract with a licensed  
16 water well driller to or a district employee may:

17                            (1) cap an open, uncovered, or abandoned well; or

18                            (2) plug and permanently close a deteriorated well.

19                    (c) A district employee may plug a well under Subsection (b)  
20 only if the employee has received training in the proper method of  
21 plugging a well located in a karst topographic area.

22                    (d) The district may require the owner or lessee of land on  
23 which an open or uncovered well is located to keep the well  
24 permanently closed or capped as provided by Section 36.118, Water

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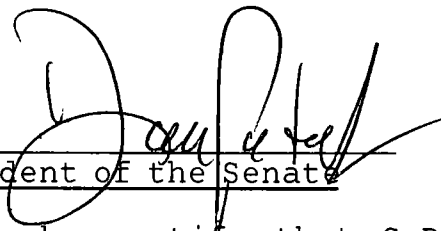
1 Code.

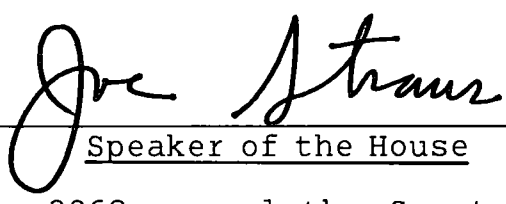
2 (e) The district may use any money available to the  
3 district, including money from grants, fees, or tax revenues, to  
4 pay reasonable expenses incurred by the district in plugging or  
5 capping wells on land in the district under this section of this  
6 Act. The reasonable expenses constitute a lien on the land on which  
7 the well is located in accordance with Section 36.118(e), Water  
8 Code.

9 (f) The district may enforce this section against any person  
10 by injunction, mandatory injunction, or other appropriate remedy in  
11 a court of competent jurisdiction as provided by Section 36.102,  
12 Water Code.

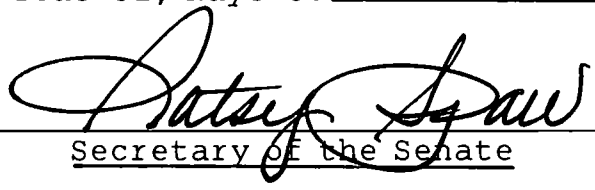
13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2017.

S.B. No. 2068

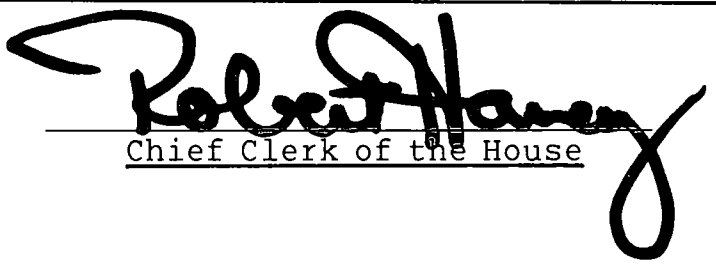
  
President of the Senate

  
Speaker of the House

I hereby certify that S.B. No. 2068 passed the Senate on May 9, 2017, by the following vote: Yeas 31, Nays 0. \_\_\_\_\_


  
Secretary of the Senate

I hereby certify that S.B. No. 2068 passed the House on May 24, 2017, by the following vote: Yeas 146, Nays 0, two present not voting. \_\_\_\_\_


  
Chief Clerk of the House

Approved:

6-9-2017  
Date

  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:30 PM O'CLOCK

JUN 12 2017  
  
Secretary of State

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 15, 2017**

**TO:** Honorable Lyle Larson, Chair, House Committee on Natural Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB2068 by Buckingham (Relating to the plugging or capping of abandoned, deteriorated, open, or uncovered water wells in the Bandera County River Authority and Groundwater District.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 27, 2017**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB2068** by Buckingham (Relating to the plugging or capping of abandoned, deteriorated, open, or uncovered water wells in the Bandera County River Authority and Groundwater District.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, GG, BM