

Chapter 96

H.B. No. 1066

1 AN ACT  
2 relating to extensions of an expired permit for the transfer of  
3 groundwater from a groundwater conservation district.

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

5 SECTION 1. Section 36.122, Water Code, is amended by adding  
6 Subsections (j-1), (j-2), (r), and (s) and amending Subsection (k)  
7 to read as follows:

8 (j-1) A district shall extend a term under Subsection (i)(2)  
9 or (j) on or before its expiration in the manner prescribed by  
10 Section 36.1145:

11 (1) to a term that is not shorter than the term of an  
12 operating permit for the production of water to be transferred that  
13 is in effect at the time of the extension; and

14 (2) for each additional term for which that operating  
15 permit for production is renewed under Section 36.1145 or remains  
16 in effect under Section 36.1146.

17 (j-2) A permit extended under Subsection (j-1) continues to  
18 be subject to conditions contained in the permit as issued before  
19 the extension.

20 (k) Notwithstanding the period specified under Subsection  
21 [in Subsections] (i), [and] (j), or (j-1) during which water may be  
22 transferred under a permit, a district may periodically review the  
23 amount of water that may be transferred under the permit and may  
24 limit the amount if additional factors considered in Subsection (f)

1 warrant the limitation, subject to Subsection (c). The review  
2 described by this subsection may take place not more frequently  
3 than the period provided for the review or renewal of regular  
4 permits issued by the district. In its determination of whether to  
5 renew a permit issued under this section, the district shall  
6 consider relevant and current data for the conservation of  
7 groundwater resources and shall consider the permit in the same  
8 manner it would consider any other permit in the district.

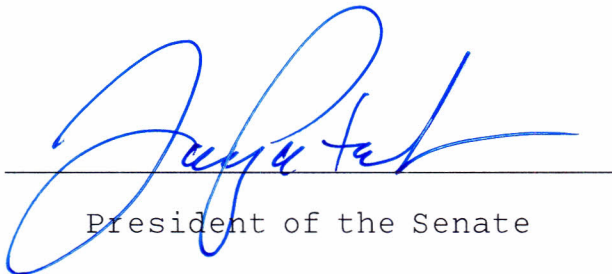
9 (r) The district may grant or deny an application to extend  
10 a term under Subsection (i)(2) or (j) submitted under this section  
11 only using rules that were in effect at the time the application was  
12 submitted.

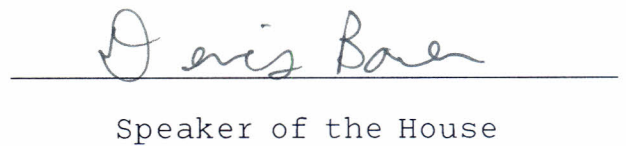
13 (s) An application to extend a term under Subsection (i)(2)  
14 or (j) is governed solely by district rules consistent with  
15 Subsection (j-1).

16 SECTION 2. The changes in law made by this Act apply only to  
17 the term of a permit issued under Sections 36.122(i) and (j), Water  
18 Code, that expires after September 1, 2019.

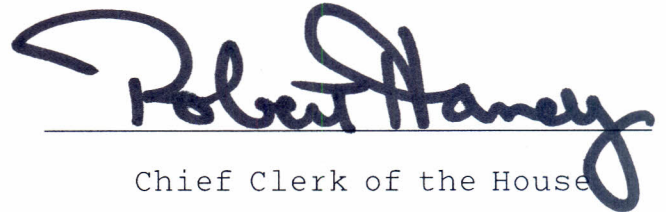
19 SECTION 3. This Act takes effect September 1, 2019.

H.B. No. 1066

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

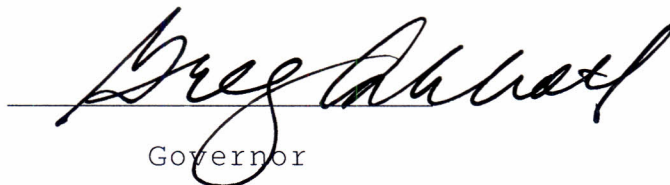
I certify that H.B. No. 1066 was passed by the House on April 3, 2019, by the following vote: Yeas 147, Nays 1, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House

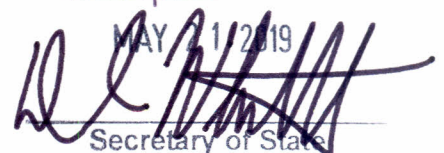
I certify that H.B. No. 1066 was passed by the Senate on May 8, 2019, by the following vote: Yeas 29, Nays 2

  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 5-21-2019  
Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
6:30 pm O'CLOCK

  
\_\_\_\_\_  
Secretary of State