A BILL TO BE ENTITLED
AN ACT
relating to a study evaluating and making recommendations for the
regulation of on-site sewage disposal systems in the recharge zone
of the Edwards Aquifer.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Commission" means the Texas Commission on
Environmental Quality.

(2) "On-site sewage disposal system" has the meaning

SECTION 2. STUDY. (a) The commission shall conduct a study
to evaluate:

(1) the regulation of on-site sewage disposal systems
in the recharge zone of the Edwards Aquifer;

(2) the effects of on-site sewage disposal systems on
the recharge zone of the Edwards Aquifer and the Edwards Aquifer;

and

(3) best management practices for the regulation of
on-site sewage disposal systems in the recharge zone of the Edwards
Aquifer that:

(A) protect the supply of water, including
potable water, to users of groundwater from the Edwards Aquifer
through more restrictive regulations;

(B) do not contribute to adverse toxic effects on
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1 aquatic life in the Edwards Aquifer; and
2  (C) do not contribute to adverse toxic effects on
3 human health resulting from the consumption of water from the
4 Edwards Aquifer.
5  (b) In conducting the study, the commission shall solicit
6 and consider information from the scientific and engineering
7 community and other stakeholders.
8  (c) The commission may contract with any appropriate person
9 to assist in conducting the study.

SECTION 3. REPORT. Not later than March 1, 2020, the
10 commission shall make publicly available on its Internet website a
11 report of the findings and recommendations of the study conducted
12 under this Act. In the report, the commission must include findings
13 that address the study objectives described in Section 2(a)(3) of
14 this Act. The commission must include in the report
15 recommendations, based on the findings, for on-site sewage disposal
16 regulatory practices that can be used to achieve the objectives of
17 Section 2(a)(3) of this Act.

SECTION 4. RULES TO IMPLEMENT. (a) Not later than
19 September 1, 2020, the commission shall develop proposed rules the
20 commission considers appropriate to implement the findings and
21 recommendations of the report and shall file notice of the proposed
22 rules as provided by Section 2001.023, Government Code.
23  (b) A rule proposed under Subsection (a) of this section
24 applies only to an action, including a filing of an application for
25 a permit or permit amendment, taken on or after the effective date
26 of the rule. An action taken before the effective date of a rule
proposed under Subsection (a) of this section is governed by the law
in effect at the time the action was taken, and an application for a
permit or permit amendment must be approved or denied on the basis
of the law in effect at the time the application is filed.

SECTION 5. EXPIRATION. This Act expires on the earlier of:

(1) the date the commission adopts rules proposed
under Section 4 of this Act; or

(2) December 1, 2021.

SECTION 6. EFFECTIVE DATE. This Act takes effect
immediately if it receives a vote of two-thirds of all the members
elected to each house, as provided by Section 39, Article III, Texas
Constitution. If this Act does not receive the vote necessary for
immediate effect, this Act takes effect September 1, 2019.