

HCS HB 2153 -- WATER EXPORTATION ACROSS STATE BOUNDARIES (Burger)

COMMITTEE OF ORIGIN: Standing Committee on Conservation and Natural Resources

This bill specifies that it is unlawful for any person to withdraw from any water source for export outside the state of Missouri via a pipeline facility unless he or she holds a water export permit issued by the Department of Natural Resources. However, a water export permit is not necessary for any withdrawal where the withdrawal and end use are in the same six digit hydrological unit code and within 20 miles of the state border.

Before issuing a permit for water exportation, the Director must determine if certain conditions specified in the bill are met. In addition, the Director of the Department must, within 180 days of receipt of an application, submit a recommendation for such permit to the Clean Water Commission. The Commission, at its next meeting, must indicate its approval or disapproval of the Department's recommendation by a majority vote. If the Commission recommends approval, the Director must issue the permit within 90 days of approval. If the Commission recommends disapproval, the Director must deny the permit.

Applications for renewal of water exportation permit must be filed 180 days before the expiration date of a permit. The Director must review the water supply needs and considerations specified in the bill, and may recommend additional conditions to address any substantial or material change in the permit. If there is a conflict between conditions of use required in Missouri and in another state, the water permit holder must consent to the conditions imposed by the Director. The active life of a permit may not exceed five years.

At the request of the Department, the Attorney General may bring a civil action for injunctive relief in any county where defendant's principal place of business is located or where the violation occurred.

This bill is similar to SB 782 (2024); and SB 599 and HB 1129 (2023).