

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

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 19, 2003**

**TO:** Honorable Robert Puente, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB738** by Duncan (Relating to the notice, hearing, and permitting process for groundwater conservation districts.), **As Engrossed**

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

The bill would amend the Water Code to require a groundwater conservation district general manager or the board, not later than the tenth day before the date of a rulemaking hearing by the district board, to post notice of the hearing in a place readily accessible to the public in the district office, provide notice to the county clerk of each county in the district, and publish notice in one or more newspapers of general circulation in the county(ies) in which the district is located.

The presiding officer of the district would be required to prepare and keep a record of each rulemaking hearing in the form of an audio or video recording or a court reporter transcription, and may assess costs associated with transcription when a transcription is requested.

The bill would also authorize a district to require that a change in the withdrawal or use of groundwater under a permit issued by the district may not be made unless the district first approves a permit authorizing the change. Additionally, procedures are outlined for processing permit and permit amendment applications.

The bill would take effect September 1, 2003.

**Local Government Impact**

Based on information provided by the Texas Groundwater Conservation District Association, no significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JK, CL, DLBa