

BILL ANALYSIS

H.B. 4114
By: O'Day
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Enacted legislation from the 78th Legislature relating to the authority of the Brazoria County Groundwater Conservation District requires revisions relating to certain language contained in the original legislation relating to definitions, exemptions, fees, and taxes in order to clarify the original intent of the Bill.

As well as revisions to language, H.B. 4114 authorizes the Brazoria County Groundwater Conservation District to increase the maximum rate of Export Fees currently permitted to be imposed.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4114 amends Section 2, Chapter 772, Acts of the 78th Legislature, Regular Session, 2003 by defining board and district.

H.B. 4114 amends Section 11, Chapter 772, Acts of the 78th Legislature, Regular Session, 2003, by prohibiting the district from imposing a tax of any kind, from assessing or collecting a fee of any kind, or requiring that a meter be placed on a new or existing water well on private property that serves only a single-family dwelling used only for domestic purposes, rather than personal or agricultural purposes in Brazoria County, or to otherwise benefit the land on which the well is located, or assessing or collecting a fee of any kind, or requiring that a meter be placed on the well for a new or existing water well used only for agriculture, as defined by Section 36.001, Water Code.

H.B. 4114 amends Section 12, Chapter 772, Acts of the 78th Legislature, Regular Session, 2003, by amending the title of the section and authorizing the board to impose certain fees, establish by schedule, relating to groundwater transferred out of the district, unless the transferred groundwater is exempt under Section 36.205 (Authority to Set Fees), Water Code.

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.