1-1 By: Estes S.B. No. 1983 (In the Senate - Filed March 30, 2007; April 3, 2007, read first time and referred to Committee on Natural Resources; April 23, 2007, reported adversely, with favorable Committee 1-2 1-3 1-4 Substitute by the following vote: Yeas 10, Nays 0; April 23, 2007, 1-5 1-6 sent to printer.) COMMITTEE SUBSTITUTE FOR S.B. No. 1983 1-7 By: Estes 1-8 A BILL TO BE ENTITLED 1-9 AN ACT 1-10 relating to the creation of the Upper Trinity Groundwater Conservation District; providing authority to issue bonds. 1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 1-12 SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8830 to read as follows: 1-13 1**-**14 1**-**15 CHAPTER 8830. UPPER TRINITY GROUNDWATER 1-16 CONSERVATION DISTRICT SUBCHAPTER A. GENERAL PROVISIONS 1-17 Sec. 8830.001. DEFINITIONS. In this chapter: 1-18 1-19 1-20 (1)"Board" means the board of directors of the district. (2) "Director" means a member of the board.
(3) "District" means the Upper Trinity Groundwater 1-21 1-22 Conservation District. 1-23 Sec. 8830.002. NATURE OF DISTRICT; FINDINGS. (a) The district is a groundwater conservation district in Hood, Montague, 1-24 The 1-25 Parker, and Wise Counties created under and essential to accomplish 1-26 1-27 the purposes of Section 59, Article XVI, Texas Constitution. 1-28 (b) The district is created to serve a public use and <u>benefi</u>t. 1-29 (c) All of the land and other property included within the boundaries of the district will be benefited by the works and 1-30 1-31 projects that are to be accomplished by the district under powers conferred by this chapter and by Chapter 36, Water Code. 1-32 1-33 (d) Any fees imposed by the district under this chapter are necessary to pay for the costs of accomplishing the purposes of the 1-34 1 - 35district, including the conservation and management of groundwater 1-36 resources, as provided by this chapter and Section 59, Article XVI, 1-37 Texas Constitution. Sec. 8830.003. 1-38 Sec. 8830.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation 1-39 1-40 election held under Section 8830.023 before September 1, 2009: 1-41 1-42 (1) the district is dissolved on September 1, 2009, 1-43 except that: 1-44 any debts incurred shall be paid; (A) (B) any assets that remain after the payment of 1-45 debts shall be transferred in equal amounts to Hood, Montague, 1-46 Parker, and Wise Counties; and 1-47 (C) the organization of the district shall be all debts are paid and remaining assets are 1-48 maintained until 1-49 transferred; and 1 - 501-51 (2) this chapter expires September 1, 2012. Sec. 8830.004. INITIAL DISTRICT TERRITORY. The initial (2) 1-52 boundaries of the district are coextensive with the boundaries of 1-53 Hood, Montague, Parker, and Wise Counties. Sec. 8830.005. APPLICABILITY OF OTHER GROUNDWATER CONSERVATION DISTRICT LAW. Except as otherwise provided by this 1-54 1-55 1-56 chapter, Chapter 36, Water Code, applies to the district. Sec. 8830.006. CONSTRUCTION OF CHAPTER. This chapter shall 1-57 1-58 be liberally construed to achieve the legislative intent and purposes of Chapter 36, Water Code. A power granted by Chapter 36, 1-59 1-60 1-61 Water Code, or this chapter shall be broadly interpreted to achieve that intent and those purposes. 1-62 [Sections 8830.007-8830.020 reserved for expansion] 1-63

	C.S.S.B. No. 1983
2-1	SUBCHAPTER A-1. TEMPORARY PROVISIONS
2-2	Sec. 8830.021. APPOINTMENT OF TEMPORARY DIRECTORS.
2-3 2-4	(a) The district is initially governed by a board of eight temporary directors appointed as provided by Section 8830.051(a).
2-4	(b) Temporary directors shall be appointed not later than
2-6	the 90th day after the effective date of the Act enacting this
2-7	chapter. If after the 90th day fewer than eight temporary directors
2-8	have been appointed, each unfilled position shall be considered a
2-9 2-10	vacancy and filled in accordance with Subsection (c). (c) If a vacancy occurs on the temporary board, the
2-10	remaining temporary directors shall appoint a person to fill the
2-12	vacancy in a manner that meets the representational requirements of
2-13	this section.
2 <b>-</b> 14 2 <b>-</b> 15	(d) To be eligible to serve as a temporary director, a person must be a registered voter in the appointing county.
2-16	(e) Each temporary director must qualify to serve as a
2-17	director in the manner provided by Section 36.055, Water Code.
2-18	(f) Temporary directors serve until the earlier of:
2-19 2-20	(1) the time the temporary directors become the initial permanent directors under Section 8830.024; or
2-20 2 <b>-</b> 21	(2) the date this chapter expires under Section
2-22	8830.003.
2-23	Sec. 8830.022. ORGANIZATIONAL MEETING OF TEMPORARY
2-24	DIRECTORS. As soon as practicable after all the temporary
2-25 2-26	directors have qualified under Section 36.055, Water Code, a majority of the temporary directors shall convene the
2-27	organizational meeting of the district at a location in the
2-28	district agreeable to a majority of the directors. If an agreement
2-29	on location cannot be reached, the organizational meeting shall be
2-30 2-31	at the Poolville Junior High School in Parker County. Sec. 8830.023. CONFIRMATION ELECTION. (a) The temporary
2-32	directors shall hold an election to confirm the creation of the
2-33	district.
2-34	(b) Section 41.001(a), Election Code, does not apply to a
2-35 2-36	confirmation election held as provided by this section. (c) Except as provided by this section, a confirmation
2-37	election must be conducted as provided by Sections 36.017(b), (c),
2-38	and (e)-(g), Water Code, and by the Election Code.
2-39	(d) The ballot for the election must be printed to provide
2-40 2-41	for voting for or against the proposition: "The creation of a nontaxing, locally controlled groundwater conservation district to
2-42	be known as the Upper Trinity Groundwater Conservation District, in
2-43	lieu and instead of anticipated action by the Texas Commission on
2-44	Environmental Quality to otherwise establish a conservation and
2 <b>-</b> 45 2 <b>-</b> 46	reclamation district within the same or a larger area." (e) If a majority of the votes cast at the election are not
2-40	in favor of the creation of the district, the temporary directors
2-48	may order a subsequent confirmation election to be held in
2-49	accordance with this section.
2 <b>-</b> 50 2 <b>-</b> 51	Sec. 8830.024. INITIAL PERMANENT DIRECTORS; INITIAL TERMS. If creation of the district is confirmed at an election held under
2-52	Section 8830.023:
2-53	(1) the temporary directors become the initial
2-54	permanent directors; and
2 <b>-</b> 55 2 <b>-</b> 56	(2) the two directors appointed from each county shall draw lots to determine which director serves a term expiring June 1
2-50	of the first odd-numbered year after the confirmation election and
2-58	which director serves a term expiring June 1 of the next
2-59	odd-numbered year.
2-60 2-61	Sec. 8830.025. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2012.
2-61	[Sections 8830.026-8830.050 reserved for expansion]
2-63	SUBCHAPTER B. BOARD OF DIRECTORS
2-64	Sec. 8830.051. GOVERNING BODY; TERMS. (a) The district is
2-65 2-66	governed by a board of eight directors appointed as follows: (1) two directors appointed by the Hood County
2 <b>-</b> 66 2 <b>-</b> 67	(1) two directors appointed by the Hood County Commissioners Court;
2-68	(2) two directors appointed by the Montague County
2-69	Commissioners Court;

	C.S.S.B. No. 1983
3-1	(3) two directors appointed by the Parker County
3-2 3-3	<u>Commissioners Court; and</u> (4) two directors appointed by the Wise County
3-4	Commissioners Court.
3-5	(b) Directors serve staggered four-year terms, with the
3-6 3-7	term of one director from each of the four counties expiring on June 1 of each odd-numbered year.
3-8	(c) A director may serve multiple consecutive terms.
3-9 3-10	Sec. 8830.052. DIRECTOR ELIGIBILITY; QUALIFICATION. (a) To be eligible to serve as a director, a person must be a
3 <b>-</b> 10 3 <b>-</b> 11	registered voter in the appointing county.
3-12	(b) Each director must qualify to serve in the manner
3-13 3-14	provided by Section 36.055, Water Code. Sec. 8830.053. VACANCIES. If a vacancy occurs on the board,
3-15	the remaining directors shall appoint a person to fill the vacancy
3-16	in a manner that meets the representational requirements of Section
3-17 3-18	8830.051. Sec. 8830.054. COMPENSATION; REIMBURSEMENT.
3-19	(a) Notwithstanding Sections 36.060(a) and (d), Water Code, a
3-20 3-21	director may not receive compensation for performing the duties of director.
3-21	(b) A director is entitled to reimbursement of actual
3-23	expenses reasonably and necessarily incurred while engaging in
3-24 3-25	activities on behalf of the district. [Sections 8830.055-8830.100 reserved for expansion]
3-26	SUBCHAPTER C. POWERS AND DUTIES
3-27	Sec. 8830.101. GROUNDWATER CONSERVATION DISTRICT POWERS
3-28 3-29	AND DUTIES. Except as provided by this chapter, the district has the powers and duties provided by the general law of this state,
3-30	including Chapter 36, Water Code, and Section 59, Article XVI,
3-31 3-32	Texas Constitution, applicable to groundwater conservation districts.
3-32	Sec. 8830.102. CONTRACTS. The district may enter into a
3-34	contract with any person, public or private, for any purpose
3-35 3-36	authorized by law. Sec. 8830.103. APPLICABILITY OF DISTRICT REGULATIONS.
3-37	(a) Groundwater regulation under this chapter applies to all
3-38 3-39	persons except as exempted under Section 36.117, Water Code, or this chapter.
3-40	(b) For purposes of the district's implementation and
3-41 3-42	enforcement of this chapter, Chapter 36, Water Code, and the rules of the district, sovereign immunity to suit and to liability of a
3-42	governmental entity is waived.
3-44	Sec. 8830.104. WELL SPACING RULES; EXEMPTIONS. (a) Except
3 <b>-</b> 45 3 <b>-</b> 46	as provided by Subsection (b), the district shall exempt from the well spacing requirements adopted by the district any well that is
3-47	completed on or before the effective date of those requirements.
3 <b>-</b> 48 3 <b>-</b> 49	(b) The district may provide by rule that a well may lose its exemption under this section if the well is modified in a manner
3-49	that substantially increases the capacity of the well after the
3-51	effective date of the well spacing requirements adopted by the
3 <b>-</b> 52 3 <b>-</b> 53	district. (c) Except as provided by this section and notwithstanding
3-54	Section 8830.103, the district may require any well or class of
3 <b>-</b> 55 3 <b>-</b> 56	wells exempt from permitting under Chapter 36, Water Code, to
3-50	comply with the well spacing requirements adopted by the district. The district shall apply well spacing requirements uniformly to any
3-58	well or class of wells based on the size or capacity of the well and
3 <b>-</b> 59 3 <b>-</b> 60	without regard to the type of use of the groundwater produced by the well.
3-61	Sec. 8830.105. REGISTRATION AND REPORTING REQUIREMENTS FOR
3-62 3-63	CERTAIN EXEMPT WELLS. The district may adopt rules that require the
3-63 3-64	owner or operator of a well or class of wells exempt from permitting under Section 36.117, Water Code, to register the well with the
3-65	district and to report groundwater withdrawals from the well using
3-66 3-67	reasonable and appropriate reporting methods and frequency. Sec. 8830.106. ENFORCEMENT. (a) The district may enforce
3-68	
3-69	this chapter in the manner provided by Chapter 36, Water Code. In lieu of a remedy available to the district under Section 36.102,

<pre>purpose of a fee authorized under this subsection is to serve a disincentive to producing groundwater except as authorized by district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect B330.152. Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district is not exercise the power of eminent domain. ISections 8830.103. Preserved for expansion! SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f based on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra functions as provided by this chapter. The district may revenues generated by fees it assesses for any lawful purpose. (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (contrary, a fee authorized by Subsection (a) may not exceed: (c) Notwithstanding any provision of general law to chapter to the contrary, if any, the district may assess production fee under this section for groundwater used agricultural purposes, or well or class of wells exempt from permitting under Section 36.1 Water Code. A production fee assessed by the district under t subsection must be based on the amount of groundwater actual withdrawn from the well and may not exceed the adoption of management plan may: (1) establish, assess, and enforce the collection production fee under this section 36.1071(f), Water Code, district by rule, resolution, or order before the adoption of management plan may: (2) establish and enforce metering and report requirements. (e) The district under this section on or before the da st</pre>		C.S.S.B. No. 19
<pre>a person producing groundwater in violation of a rule of district, including the failure or refusal to comply with any or or rule of the district to reduce or cease groundwater usage. (b) A fee imposed under Subsection is to serve a distincentive to producing groundwater except as authorized by district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect <u>3830.152</u>. (c) A fee imposed under Subsection (a) may not exceed code, does not apply to the district. Not excercise the power of eminent domain. Isecting 2830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. not exercise the power of eminent domain. Isecting 2830.107. General PINANCIAL PROVISIONS SubsCHAPTER D. GENERAL PINANCIAL PROVISIONS SubsCHAPTER D. GENERAL PINANCIAL PROVISIONS Sec. 6830.151. TAKES PROHIBITED. The district may impose a tax. Sections 36.020(a) and 6.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat to enable the district to fulfill any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (1) Notwithstanding any provision of general law to t chapter to the contrary, if any, the district may assess production fee under this section for groundwater produced for well or class of wells exempt from permitting under section 36.1 Water Code. A production fee assesses by the district under t subsection must be based on the amount of groundwater actual withfrawn from the well and may not exceed the adoption of management plan may: (2) stablish and enforce metering and report requirements. (3) Notwithstanding section 36.1071(f), Water Code, district by rule, resolution, or order before the adoption of management flam may: (3) Excercing 36, Water Code notwithstanding the chan</pre>		
<pre>district, including the failure or refusal to comply with any or or rule of the district to reduce or cease groundwater usage. purpose of a fee authorized under this subsection is to serve a disincentive to producing groundwater except as authorized by district. b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect 8330.152. Sec. 8830.107. LaW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district in not exercise the power of eminent domain. [Sections 38.0.109. BASOL 507 reserved for expansion] SUBCHAFTER D. GENERAL FINANCIAL PROVISIONS Sec. 8830.151. TAKES PROHIBITED. The district may impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f used on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purpose, and regulat functions as provided by this chapter. The district may (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed; digricultural purposes; of (c) Notwithstanding any provision of general law or (c) Notwithstanding Section 76.107(1), Water Code, district for permitted uses under Subsection 36.107(1(f), Water Code, (c) notwithstanding Section 76.107(1), Water Code, district by rule, resolution, or order before the adoption of management p</pre>		
or rule of the district to reduce or cease groundwater usage. purpose of a fee authorized under this subsection is to serve a district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect 830.152. Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district is not exercise the power of eminent domain. [Sections & 830.109-8830.150 reserved for expansion] SUBCHAPTER D. GENERAL FUNNCIAL PROVISIONS Sec. 8830.151. TAXES PROHIBITED. The district may impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production ff based on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat functions as provided by this chapter. The district may revenues generated by fees it assesses for any lawful purpose. (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: agricultural purposes. (c) Notwithstanding any provision of general law to to chapter to the contrary, if any, the district may assess production fee under this section for groundwater actual withdrawn from the wells exempt from permitting under Section 36.1071(f), Water Code, district by rule, resolution, or order before the adoption of management plan may abot exceed the amount established the district rule. SECTION 2. The legislature finds that the sovere implementation and enforce metering and report fees to the district under this section on or before the da section of exceed as provided by any, and the notice and copy of this Act have been from general substance of ta Act, has been published as provided by l		
<pre>purpose of a fee authorized under this subsection is to serve a disincentive to producing groundwater except as authorized by district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect 8330.152. Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district in rot exercise the power of eminent domain. [Sections 8630.109.8830.150 reserved for expansion] SubCHAPTER D. GENERAL FINANCIAL PROVISIONS Sec. 8830.151. TAKER PROHIBITED. The district may i impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f based on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat functions as provided by this chapter. The district may revenues generated by fees it assesses for any lawful purpose. (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (1) S1 per acrefoot annually for groundwater used agricultural purposes; or (2) 30 cents per thousand gallons annually groundwater used for nonagricultural purposes. (c) Notwithstanding any provision of general law ot t chapter to the contrary, if any, the district may assess production fee under this section 36.1071(f), Water Code, district for premitted uses under Subsection (b)[2]. (d) Notwithstanding Section 36.1071(f), Water Code, district of vule, resolution, or order before the adoption of management plan may: (e) The district by rule may establish a temporary permanent discounted fee rate for persons who prepay product fees to the district under this section on or before the da established by district rule. SECTION 2. The legislature fi</pre>		
<pre>district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect 8330.152. Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district in c exercise the power of eminent domain. [Sections 8830.109-8830.150 reserved for expansion] SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS sec. 8830.152. DISTRICT REVENUES. (a) The district may impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f based on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat functions as provided by this chapter. The district may ievenues generated by fees it assesses for any lawful purpose. (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (1) \$1 per acre-foot annually for groundwater used agricultural purposes; or (2) Notwithstanding any provision of general law or t chapter to the contrary, if any, the district under t subsection fee under this section for groundwater produced fro well or class of wells exempt from permitting under Section 36.1 Water Code. A production fee assessed by the district under t subsection must be based on the amount established the district for premitted uses under Subsection (b)[2]. (d) Notwithstanding Section 36.1071(f), Water Code, (i) establish, assess, and enforce the collection production fees under this section, and (2) establish and enforce metering and report requirements. (e) The district by rule may establish a temporary permanent discounted fee rate for persons who prepay product fees to the district under this section or or before the da established by distric</pre>		
<pre>district. (b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect 8830.152. Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district in texercise the power of eminent domain. If Sections 8830.109. Bessol.150 reserved for expansion] SubCHAPTER D. GENERAL FINANCIAL PROVISIONS Sec. 8830.151. TAXES PROHIBITED. The district may impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 8830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f hased on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat functions as provided by this chapter. The district may invose, (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (1) Si per acresfoot annually for groundwater used agricultural purposes; or (2) 30 cents per thousand gallons annually groundwater used for nonagricultural purposes. (c) Notwithstanding any provision of general law or t chapter to the contrary, if any, the district may assess production fee under this section for groundwater actual withdrawn from the well and may not exceed the amount established the district for permitted uses under Subsection (b)[2]. (d) Notwithstanding Section 36.1071(f), Water Code, district by rule, resolution, or order before the adoption of management plan may: (1) establish, assess, and enforce the collection production fees under this section and inforce the collection production fees under this section and the prove (c) The district by rule may establish a temporary permanent discounted fee rate for persons who prepay product fees to the district thy rule may establish a temporary permanent dis</pre>		
<ul> <li>(b) A fee imposed under Subsection (a) may not exceed amount equal to 10 times the amount of a fee assessed under Sect \$330.152.</li> <li>Sec. 8830.107. LAW NOT APPLICABLE. Section 36.121, Wa Code, does not apply to the district. Sec. 8830.108. NO EMINENT DOMAIN POWER. The district in exercise the power of eminent domain. [Sections 8630.109-8830.150 reserved for expansion] SUBCHAPTER D. GENERAL FUNANCIAL PROVISIONS Sec. 6830.151. TAXES PROHIBITED. The district may impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code, not apply to the district. Sec. 6830.152. DISTRICT REVENUES. (a) The district rule, resolution, or order may establish, amend, pledge, encumb expend the proceeds from, and assess to any person production f based on the amount of groundwater authorized by permit to withdrawn from a well or on the amount of water actually withdra to enable the district to fulfill its purposes and regulat functions as provided by this chapter. The district may if evenues generated by fees it assesses for any lawful purpose. (b) Notwithstanding any provision of general law to contrary, a fee authorized by Subsection (a) may not exceed: (1) \$1 per acre-foot annually for groundwater used agricultural purpose; or groundwater used for nonagricultural purposes. (c) Notwithstanding any provision of general law or t chapter to the contrary, if any, the district may assess production fee under this section 70 groundwater actually withdraw from the well and may not exceed the amount established the district by rule, resolution, or order before the adoption of management plan may: (2) 30 cents per thousand gallons annually (2) individuater actually for groundwater actually from permitted uses under Subsection (b) (2). (d) Notwithstanding any provision of general law or t chapter to the contrary, if any, the district under the subsection (b) (2). (d) Notwithstanding the change dustrict or devender the section for the adoption of management plan may: (establish, assess, and enforce the adoption of manage</li></ul>		
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C.S.S.B. No. 1983 5-1 its recommendations relating to this Act with the governor, 5-2 lieutenant governor, and speaker of the house of representatives 5-3 within the required time.

5-4 (d) All requirements of the constitution and laws of this 5-5 state and the rules and procedures of the legislature with respect 5-6 to the notice, introduction, and passage of this Act are fulfilled 5-7 and accomplished.

5-8 SECTION 4. This Act takes effect immediately if it receives 5-9 a vote of two-thirds of all the members elected to each house, as 5-10 provided by Section 39, Article III, Texas Constitution. If this 5-11 Act does not receive the vote necessary for immediate effect, this 5-12 Act takes effect September 1, 2007.

5-13

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