

BILL ANALYSIS

C.S.H.B. 1664
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Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

S.B. 1983, enacted by the 80th Legislature, Regular Session, 2007, established the Upper Trinity Groundwater Conservation District, which encompasses Parker, Wise, Hood, and Montague Counties. This region of the state is in North Texas and is likely to experience not only home fires, but wildfires as well. Current law does not prohibit the groundwater district from assessing fees against emergency service districts and fire departments when they have to use groundwater to fight fires.

C.S.H.B. 1664 prohibits the groundwater district from assessing fees against emergency service districts and fire departments when they are using groundwater solely for emergency purposes.

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

C.S.H.B. 1664 amends the Special District Local Laws Code to exempt groundwater produced within the boundaries of the Upper Trinity Groundwater Conservation District for use by a fire department or emergency services district solely for emergency purposes from the assessment of any production fees that would otherwise be required under a district rule, resolution, or order adopted under provisions relating to district revenues.

C.S.H.B. 1664 establishes that, for purposes of the exemption, emergency purposes include the use of groundwater to fight fires, manage chemical spills, and otherwise address emergency public safety or welfare concerns, and for related training exercises.

C.S.H.B. 1664 authorizes the district to adopt rules to implement the exemption that require each involved entity to report to the district using reasonable and appropriate reporting methods established by the district, during each month of the reporting period, the total quantity of groundwater produced or used, as applicable, for all purposes by the involved entity and the quantities of groundwater produced or used, as applicable, for emergency purposes and for any purpose other than for emergency purposes.

C.S.H.B. 1664 makes the production fee exemption inapplicable to groundwater produced for a purpose other than for emergency purposes.

C.S.H.B. 1664 defines "involved entity" to mean a fire department or emergency services district that uses groundwater produced within the boundaries of the district or a person that provides groundwater produced within the boundaries of the district to a fire department or emergency services district.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1664 differs from the original by applying the fee exemption to groundwater produced for use by a fire department or emergency services district solely for emergency purposes, rather than groundwater used for firefighting purposes by such entities. The substitute adds provisions not in the original establishing, for purposes of the exemption, the emergency purposes that include the use of groundwater. The substitute adds provisions not in the original authorizing the district to adopt rules to implement the exemption that require each involved entity to report to the district on the entity's groundwater usage. The substitute adds a provision not in the original making the exemption inapplicable to groundwater produced for a purpose other than for emergency purposes. The substitute adds provisions not in the original defining "involved entity."