

## **BILL ANALYSIS**

H.B. 4785  
By: Weber  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Brazoria County Groundwater Conservation District was created in 2003 to protect the quantity and quality of Brazoria County groundwater for future generations of county residents. The district was confirmed by voters in a 2005 election creating a reasonable expectation that the district would establish and impose a groundwater production fee in an amount sufficient to execute the operation and duties of the district.

The bill creating the district in 2003 did not establish a maximum production fee, meaning that the current maximum fee is 3.06 cents per thousand gallons of water withdrawn from a well in the district, as defined in the Water Code. Unfortunately, the current maximum fee is not sufficient to meet the demands currently placed on the district.

H.B. 4785 changes the election date for directors of the board of the district from November to May and establishes a maximum groundwater production fee in an amount not to exceed 17 cents per thousand gallons of water authorized to be or actually withdrawn from a well in the district.

### **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. 4785 amends Section 10(b), Chapter 772 (H.B. 3602), Acts of the 78th Legislature, Regular Session, 2003, to require the election of the appropriate number of directors of the board of the Brazoria County Groundwater Conservation District on the uniform election date in May, rather than on the first Tuesday after the first Monday in November, of each subsequent second year following the election of permanent directors.

H.B. 4785 amends Section 12, Chapter 772 (H.B. 3602), Acts of the 78th Legislature, Regular Session, 2003, to establish that a production fee established by schedule and imposed by the board be based on the amount of groundwater authorized by permit to be withdrawn from a well or the amount of groundwater actually withdrawn from a well in an amount not to exceed 17 cents per thousand gallons.

H.B. 4785 requires a director of the board of the district who is serving on the day before the effective date of this bill to serve until the director's term expires. The bill requires a director whose term expires in November 2010 to serve until the director's successor has qualified following the directors' election held on the uniform election date in May 2012. The bill requires a director whose term expires in November 2012 to serve until the director's successor has qualified following the directors' election held on the uniform election date in May 2014.

**EFFECTIVE DATE**

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