

AN ACT

relating to the powers and financing of the Brazoria County
Groundwater Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 10(b), Chapter 772 (H.B. 3602), Acts of
the 78th Legislature, Regular Session, 2003, is amended to read as
follows:

(b) On the uniform election date [~~first Tuesday after the~~
~~first Monday~~] in May [~~November~~] of each subsequent second year
following the election, the appropriate number of directors shall
be elected.

SECTION 2. Section 12, Chapter 772 (H.B. 3602), Acts of the
78th Legislature, Regular Session, 2003, is amended to read as
follows:

Sec. 12. FEES. Unless exempt under this Act or Chapter 36,
Water Code, the board may establish by schedule and impose:

(1) a production fee 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groundwater authorized by permit to be withdrawn from a well or the
amount of groundwater actually withdrawn from a well in an amount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 [~~under Section 36.205,~~
~~Water Code~~];

(2) an export fee for groundwater transferred out of
the district in an amount not to exceed 150 percent of the maximum
wholesale water rate charged by the City of Houston; and

1 (3) other fees as authorized by Chapter 36, Water
2 Code.

3 SECTION 3. A director of the board of the Brazoria County
4 Groundwater Conservation District who is serving on the day before
5 the effective date of this Act shall serve until the director's term
6 expires. A director whose term expires in November 2010 shall serve
7 until the director's successor has qualified following the
8 directors' election held on the uniform election date in May 2012 in
9 accordance with Section 10, Chapter 772 (H.B. 3602), Acts of the
10 78th Legislature, Regular Session, 2003, as amended by this Act. A
11 director whose term expires in November 2012 shall serve until the
12 director's successor has qualified following the directors'
13 election held on the uniform election date in May 2014.

14 SECTION 4. (a) The legal notice of the intention to
15 introduce this Act, setting forth the general substance of this
16 Act, has been published as provided by law, and the notice and a
17 copy of this Act have been furnished to all persons, agencies,
18 officials, or entities to which they are required to be furnished
19 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
20 Government Code.

21 (b) The governor, one of the required recipients, has
22 submitted the notice and Act to the Texas Commission on
23 Environmental Quality.

24 (c) The Texas Commission on Environmental Quality has filed
25 its recommendations relating to this Act with the governor, the
26 lieutenant governor, and the speaker of the house of
27 representatives within the required time.

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

5 SECTION 5. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 4785 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4785 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor