

1-1 By: Weber (Senate Sponsor - Jackson) H.B. No. 4785
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on Natural
1-4 Resources; May 23, 2009, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the powers and financing of the Brazoria County
1-9 Groundwater Conservation District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 10(b), Chapter 772 (H.B. 3602), Acts of
1-12 the 78th Legislature, Regular Session, 2003, is amended to read as
1-13 follows:

1-14 (b) On the uniform election date [~~first Tuesday after the~~
1-15 ~~first Monday~~] in May [~~November~~] of each subsequent second year
1-16 following the election, the appropriate number of directors shall
1-17 be elected.

1-18 SECTION 2. Section 12, Chapter 772 (H.B. 3602), Acts of the
1-19 78th Legislature, Regular Session, 2003, is amended to read as
1-20 follows:

1-21 Sec. 12. FEES. Unless exempt under this Act or Chapter 36,
1-22 Water Code, the board may establish by schedule and impose:

1-23 (1) a production fee based on the amount of
1-24 groundwater authorized by permit to be withdrawn from a well or the
1-25 amount of groundwater actually withdrawn from a well in an amount
1-26 not to exceed 17 cents per thousand gallons [~~under Section 36.205,~~
1-27 ~~Water Code~~];

1-28 (2) an export fee for groundwater transferred out of
1-29 the district in an amount not to exceed 150 percent of the maximum
1-30 wholesale water rate charged by the City of Houston; and

1-31 (3) other fees as authorized by Chapter 36, Water
1-32 Code.

1-33 SECTION 3. A director of the board of the Brazoria County
1-34 Groundwater Conservation District who is serving on the day before
1-35 the effective date of this Act shall serve until the director's term
1-36 expires. A director whose term expires in November 2010 shall serve
1-37 until the director's successor has qualified following the
1-38 directors' election held on the uniform election date in May 2012 in
1-39 accordance with Section 10, Chapter 772 (H.B. 3602), Acts of the
1-40 78th Legislature, Regular Session, 2003, as amended by this Act. A
1-41 director whose term expires in November 2012 shall serve until the
1-42 director's successor has qualified following the directors'
1-43 election held on the uniform election date in May 2014.

1-44 SECTION 4. (a) The legal notice of the intention to
1-45 introduce this Act, setting forth the general substance of this
1-46 Act, has been published as provided by law, and the notice and a
1-47 copy of this Act have been furnished to all persons, agencies,
1-48 officials, or entities to which they are required to be furnished
1-49 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-50 Government Code.

1-51 (b) The governor, one of the required recipients, has
1-52 submitted the notice and Act to the Texas Commission on
1-53 Environmental Quality.

1-54 (c) The Texas Commission on Environmental Quality has filed
1-55 its recommendations relating to this Act with the governor, the
1-56 lieutenant governor, and the speaker of the house of
1-57 representatives within the required time.

1-58 (d) All requirements of the constitution and laws of this
1-59 state and the rules and procedures of the legislature with respect
1-60 to the notice, introduction, and passage of this Act are fulfilled
1-61 and accomplished.

1-62 SECTION 5. This Act takes effect immediately if it receives
1-63 a vote of two-thirds of all the members elected to each house, as
1-64 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2009.

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