

By: Isaac

H.B. No. 3865

A BILL TO BE ENTITLED

AN ACT

relating to the Hays Trinity Groundwater Conservation District.

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

SECTION 1. Section 3.0305(a), Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(a) The following wells are exempt from the requirements of Chapter 36, Water Code, and may not be regulated, permitted, or metered by the district:

(1) a well used for domestic use by a single private residential household and producing not more [~~less~~] than 15,000 [~~25,000~~] gallons per day; and

(2) a well used for conventional farming and ranching activities, including such intensive operations as aquaculture, livestock feedlots, or poultry operations.

SECTION 2. Section 3.0307, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (d) and adding Subsection (i) to read as follows:

(d) Permanent directors serve staggered four-year [~~two-year~~] terms.

(i) A director may not serve more than two consecutive four-year terms. A former director may serve a third or subsequent term if that director has not served for four years. A former director who has not served for four years may be appointed to fill a vacancy on the board and, if elected, may serve two full terms

1 after the expiration of the term to fill the vacancy.

2 SECTION 3. Section 3.0310, Chapter 966, Acts of the 77th  
3 Legislature, Regular Session, 2001, is amended to read as follows:

4 Sec. 3.0310. ELECTION OF DIRECTORS. ~~[(a)]~~ On the uniform  
5 election date ~~[first Saturday]~~ in May of each even-numbered year  
6 ~~[or the first Tuesday after the first Monday in November of the~~  
7 ~~first even-numbered year after the year in which the district is~~  
8 ~~authorized to be created at a confirmation election]~~, an election  
9 shall be held in the district for the election of the appropriate  
10 number of ~~[three]~~ directors ~~[to serve two-year terms and two~~  
11 ~~directors to serve one-year terms]~~.

12 ~~[(b) On the first Saturday in May or the first Tuesday after~~  
13 ~~the first Monday in November, as applicable, of each subsequent~~  
14 ~~second year following the election held under Subsection (a) of~~  
15 ~~this section, the appropriate number of directors shall be~~  
16 ~~elected.]~~

17 SECTION 4. Sections 3.0312(a) and (b), Chapter 966, Acts of  
18 the 77th Legislature, Regular Session, 2001, are amended to read as  
19 follows:

20 (a) Except as provided by Sections 3.0305(b) and (c) of this  
21 part, the district may require a permit for the construction of a  
22 new well completed after the effective date of this Act and may  
23 charge and collect a construction permit fee not to exceed \$1,000  
24 ~~[\$300]~~.

25 (b) The district may levy and collect a water utility  
26 service connection fee not to exceed \$1,000 ~~[\$300]~~ for each new  
27 water service connection made after the effective date of this Act.

This subsection does not apply to a water utility that has surface water as its sole source of water.

SECTION 5. Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Part 3A to read as follows:

PART 3A. CERTAIN POWERS OF THE HAYS TRINITY GROUNDWATER

CONSERVATION DISTRICT

Sec. 3A.0351. DEFINITIONS. In this part:

(1) "Board" means the board of directors of the district.

(2) "District" means the Hays Trinity Groundwater Conservation District.

Sec. 3A.0352. HIGH VOLUME WELLS. (a) In this section, "high volume well" means a well that is capable of producing more than 15,000 gallons per day for any use.

(b) An application for a permit to operate a high volume well in the district must include:

(1) the name and mailing address of all persons who own property within one-quarter mile of the well site; and

(2) proof that the owner or operator requesting the permit has provided notice to all persons listed in Subdivision (1) according to the form prescribed by the board.

SECTION 6. Sections 3.0304(d) and 3.0306(b), Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, are repealed.

SECTION 7. Not later than three months after the effective date of this Act, the board of directors of the Hays Trinity Groundwater Conservation District shall adopt rules to implement

1 Part 3A, Chapter 966, Acts of the 77th Legislature, Regular  
2 Session, 2001, as added by this Act.

3 SECTION 8. (a) Section 3.0310, Chapter 966, Acts of the  
4 77th Legislature, Regular Session, 2001, as amended by this Act,  
5 applies only to a member of the board of directors of the Hays  
6 Trinity Groundwater Conservation District elected on or after  
7 September 1, 2011.

8 (b) A member of the board of directors of the Hays Trinity  
9 Groundwater Conservation District elected in May 2010 serves a  
10 two-year term.

11 (c) A member of the board of directors of the Hays Trinity  
12 Groundwater Conservation District elected in May 2011 serves a  
13 three-year term.

14 SECTION 9. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2011.