

By: Bonnen of Brazoria, Eiland,
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H.B. No. 2452

Substitute the following for H.B. No. 2452:

By: Callegari

C.S.H.B. No. 2452

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of a watermaster for the Brazos River Basin; providing for a limitation on certain fees.

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

SECTION 1. Section 11.325, Water Code, is amended to read as follows:

Sec. 11.325. WATER DIVISIONS. (a) Subject to Subsection (b), the ~~[The]~~ commission shall divide the state into water divisions for the purpose of administering adjudicated water rights. Water divisions may be created from time to time as the necessity arises. The divisions shall be constituted to secure the best protection to the holders of water rights and the most economical supervision on the part of the state.

(b) The commission shall create a water division that includes the entire Brazos River Basin.

SECTION 2. Section 11.326(a), Water Code, is amended to read as follows:

(a) The executive director:

(1) shall appoint a watermaster for the water division created under Section 11.325(b); and

(2) may appoint one watermaster for each other water division.

SECTION 3. Section 11.329, Water Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as

1 follows:

2 (c) The commission shall hold a public hearing on the
3 proposed fiscal year budget for each watermaster operation. The
4 commission shall determine the apportionment of the costs of
5 administration of adjudicated water rights among the holders of the
6 rights. After a public hearing, the commission shall issue an order
7 assessing the annual cost against the holders of water rights to
8 whom the water will be distributed under the final decree. Subject
9 to Subsection (c-1), the [~~The~~] commission shall equitably apportion
10 the costs. The executive director may provide for payments in
11 installments and shall specify the dates by which payments shall be
12 made to the commission. At the request of the watermaster advisory
13 committee the commission may modify a fiscal year budget for any
14 water division.

15 (c-1) An annual fee assessed by the commission to fund the
16 Brazos River watermaster program may not:

17 (1) exceed \$120 for the holder of a right to
18 appropriate water from the Brazos River solely for agricultural
19 use; or

20 (2) be assessed against a person who takes water
21 solely for domestic or livestock purposes.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2013.