

AN ACT

relating to the Hays Trinity Groundwater Conservation District;  
providing authority to increase certain fees; authorizing a fee.

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

SECTION 1. Section 8843.051(b), Special District Local Laws Code, is amended to read as follows:

(b) Directors serve staggered four-year [~~two-year~~] terms.

SECTION 2. Section 8843.053, Special District Local Laws Code, is amended to read as follows:

Sec. 8843.053. ELECTION DATE. On the uniform election date in November [~~May~~] of each even-numbered year, the appropriate number of directors shall be elected.

SECTION 3. Section 8843.103, Special District Local Laws Code, is amended to read as follows:

Sec. 8843.103. WELL CONSTRUCTION NOTIFICATION [~~PERMIT~~]. Notwithstanding Section 8843.104, a landowner must notify the district before [~~Except as provided by Sections 8843.104(b) and (c), the district may require a permit for~~] the construction of a new well that is to be completed after September 1, 2013 [~~2001~~].

SECTION 4. Section 8843.104, Special District Local Laws Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) Groundwater withdrawals from the [~~The~~] following wells

1 ~~[are exempt from the requirements of Chapter 36, Water Code, and]~~  
2 may not be regulated, permitted, or metered by the district:

3 (1) a well used for domestic use by a single private  
4 residential household and incapable of producing more ~~[less]~~ than  
5 25,000 gallons per day; and

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

9 (b) The district may not charge or collect a well  
10 construction fee for ~~[require a permit to construct]~~ a well  
11 described by Subsection (a)(2).

12 (b-1) A well owner must obtain a permit and pay any required  
13 fees, including a well construction fee, before using any  
14 groundwater withdrawn from a well for purposes other than those  
15 exempted by this section.

16 SECTION 5. Section 8843.151, Special District Local Laws  
17 Code, is amended to read as follows:

18 Sec. 8843.151. WELL CONSTRUCTION ~~[PERMIT]~~ FEE. The  
19 district may charge and collect a new well construction ~~[permit]~~  
20 fee not to exceed \$1,000 ~~[\$300]~~ for a new well ~~[for which the~~  
21 ~~district requires a permit under Section 8843.103]~~.

22 SECTION 6. Subchapter D, Chapter 8843, Special District  
23 Local Laws Code, is amended by adding Section 8843.1515 to read as  
24 follows:

25 Sec. 8843.1515. PERMIT RENEWAL APPLICATION FEE. The  
26 district may charge and collect a permit renewal application fee  
27 not to exceed \$400.

1 SECTION 7. Section 8843.152(b), Special District Local Laws  
2 Code, is amended to read as follows:

3 (b) The district may levy and collect a water utility  
4 service connection fee not to exceed \$1,000 [~~\$300~~] for each new  
5 water service connection made after September 1, 2013 [~~2001~~].

6 SECTION 8. Sections 8843.102 and 8843.155, Special District  
7 Local Laws Code, are repealed.

8 SECTION 9. Section 8843.151, Special District Local Laws  
9 Code, as amended by this Act, applies only to a well for which  
10 construction begins on or after the effective date of this Act. A  
11 well for which construction begins before that date is governed by  
12 the law in effect when the construction began, and that law is  
13 continued in effect for that purpose.

14 SECTION 10. The change in law made by Section 8843.1515,  
15 Special District Local Laws Code, as added by this Act, applies only  
16 to an application for the renewal of a permit submitted to the Hays  
17 Trinity Groundwater Conservation District after September 1, 2013.  
18 An application submitted before that date is governed by the law in  
19 effect on the date the application was submitted, and the former law  
20 is continued in effect for that purpose.

21 SECTION 11. To establish staggered four-year terms of  
22 office as required by Sections 8843.051(b) and 8843.053, Special  
23 District Local Laws Code, as amended by this Act, a director elected  
24 in November 2012 shall serve a term expiring December 1, 2014, and a  
25 director elected in November 2013 shall serve a term expiring  
26 December 1, 2016.

27 SECTION 12. This Act takes effect September 1, 2013.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3903 was passed by the House on May 8, 2013, by the following vote: Yeas 147, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3903 on May 23, 2013, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3903 on May 26, 2013, by the following vote: Yeas 137, Nays 2, 2 present, not voting.

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Chief Clerk of the House

H.B. No. 3903

I certify that H.B. No. 3903 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3903 on May 26, 2013, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor