

By: Hegar

S.B. No. 595

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the power of the North Fort Bend Water Authority to
3 impose a charge on certain wells or classes of wells.

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

5 SECTION 1. Section 8813.103, Special District Local Laws
6 Code, is amended by amending Subsection (e) and adding Subsection
7 (e-1) to read as follows:

8 (e) For purposes of Subsection (d), a well is subject to a
9 groundwater reduction requirement if the Harris-Galveston
10 Subsidence District or the Fort Bend Subsidence District, as
11 applicable, [~~subsidence district~~] has adopted or adopts a
12 requirement or rule that groundwater withdrawals from the well, or
13 from the well and other wells collectively, be reduced, including a
14 groundwater reduction that is not required until a future date.

15 (e-1) Notwithstanding Subsection (d), the authority may
16 impose a charge under Subsection (b) on a well or class of wells
17 located in Harris or Fort Bend County that, on or after February 1,
18 2013:

19 (1) ceases to be subject to a groundwater reduction
20 requirement imposed by the Harris-Galveston Subsidence District or
21 the Fort Bend Subsidence District, as applicable; or

22 (2) is no longer subject to the regulatory provisions,
23 permitting requirements, or jurisdiction of the Harris-Galveston
24 Subsidence District or the Fort Bend Subsidence District, as

1 applicable.

2 SECTION 2. The North Fort Bend Water Authority retains all
3 rights, powers, privileges, authorities, duties, and functions
4 that it had before the effective date of this Act.

5 SECTION 3. (a) The legislature validates and confirms all
6 governmental acts and proceedings of the North Fort Bend Water
7 Authority that were taken before the effective date of this Act.

8 (b) This section does not apply to any matter that on the
9 effective date of this Act:

10 (1) is involved in litigation if the litigation
11 ultimately results in the matter being held invalid by a final court
12 judgment; or

13 (2) has been held invalid by a final court judgment.

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, 2013.