

By: Patrick
(Callegari)

S.B. No. 1299

A BILL TO BE ENTITLED

AN ACT

relating to powers of the West Harris County Regional Water Authority relating to certain wells.

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

SECTION 1. Section 4.03, Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (d) and adding Subsections (d-1) and (d-2) to read as follows:

(d) For wells located in Harris County or Fort Bend County, the board shall exempt from the charge under Subsection (b) the classes of wells that are not subject to any groundwater reduction requirement imposed by the Harris-Galveston Coastal Subsidence District or the Fort Bend Subsidence District, as appropriate. If any of those classes of wells become subject to a groundwater reduction requirement imposed by the Harris-Galveston Coastal Subsidence District or the Fort Bend Subsidence District, as appropriate, the authority may impose the charge under Subsection (b) on those wells. For purposes of this subsection, a well is subject to a groundwater reduction requirement if the Harris-Galveston Coastal Subsidence District or Fort Bend Subsidence District, as appropriate, has adopted or adopts a requirement or regulation that the well reduce groundwater withdrawals or that the well join with other wells to collectively reduce groundwater withdrawals, including a groundwater reduction

1 that is not required until a future date.

2 (d-1) Notwithstanding Subsection (d), the authority may
3 impose a charge under Subsection (b) on a well or class of wells
4 located in Harris County or Fort Bend County that, on or after
5 February 1, 2013:

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

9 (2) is no longer subject to the regulatory provisions,
10 permitting requirements, or jurisdiction of the Harris-Galveston
11 Subsidence District or the Fort Bend Subsidence District, as
12 applicable.

13 (d-2) The board by rule may exempt any other classes of
14 wells from the charge under Subsection (b). The board may not apply
15 the charge under Subsection (b) to a well:

16 (1) with a casing diameter of less than five inches
17 that solely serves a single-family dwelling; or

18 (2) regulated under Chapter 27, Water Code.

19 SECTION 2. The West Harris County Regional Water Authority
20 retains all rights, powers, privileges, authorities, duties, and
21 functions that it had before the effective date of this Act.

22 SECTION 3. (a) The legislature validates and confirms all
23 governmental acts and proceedings of the West Harris County
24 Regional Water Authority that were taken before the effective date
25 of this Act.

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

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

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

5 SECTION 4. (a) The legal notice of the intention to
6 introduce this Act, setting forth the general substance of this
7 Act, has been published as provided by law, and the notice and a
8 copy of this Act have been furnished to all persons, agencies,
9 officials, or entities to which they are required to be furnished
10 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
11 Government Code.

12 (b) The governor, one of the required recipients, has
13 submitted the notice and Act to the Texas Commission on
14 Environmental Quality.

15 (c) The Texas Commission on Environmental Quality has filed
16 its recommendations relating to this Act with the governor, the
17 lieutenant governor, and the speaker of the house of
18 representatives within the required time.

19 (d) All requirements of the constitution and laws of this
20 state and the rules and procedures of the legislature with respect
21 to the notice, introduction, and passage of this Act are fulfilled
22 and accomplished.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2013.