

1-1 By: Patrick S.B. No. 1299
 1-2 (In the Senate - Filed March 7, 2013; March 13, 2013, read
 1-3 first time and referred to Committee on Natural Resources;
 1-4 April 2, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 10, Nays 0; April 2, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19			X	

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1299 By: Nichols

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to powers of the West Harris County Regional Water
 1-24 Authority relating to certain wells.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 4.03, Chapter 414, Acts of the 77th
 1-27 Legislature, Regular Session, 2001, is amended by amending
 1-28 Subsection (d) and adding Subsections (d-1) and (d-2) to read as
 1-29 follows:

1-30 (d) For wells located in Harris County or Fort Bend County,
 1-31 the board shall exempt from the charge under Subsection (b) the
 1-32 classes of wells that are not subject to any groundwater reduction
 1-33 requirement imposed by the Harris-Galveston Coastal Subsidence
 1-34 District or the Fort Bend Subsidence District, as appropriate. If
 1-35 any of those classes of wells become subject to a groundwater
 1-36 reduction requirement imposed by the Harris-Galveston Coastal
 1-37 Subsidence District or the Fort Bend Subsidence District, as
 1-38 appropriate, the authority may impose the charge under Subsection
 1-39 (b) on those wells. For purposes of this subsection, a well is
 1-40 subject to a groundwater reduction requirement if the
 1-41 Harris-Galveston Coastal Subsidence District or Fort Bend
 1-42 Subsidence District, as appropriate, has adopted or adopts a
 1-43 requirement or regulation that the well reduce groundwater
 1-44 withdrawals or that the well join with other wells to collectively
 1-45 reduce groundwater withdrawals, including a groundwater reduction
 1-46 that is not required until a future date.

1-47 (d-1) Notwithstanding Subsection (d), the authority may
 1-48 impose a charge under Subsection (b) on a well or class of wells
 1-49 located in Harris County or Fort Bend County that, on or after
 1-50 February 1, 2013:

1-51 (1) ceases to be subject to a groundwater reduction
 1-52 requirement imposed by the Harris-Galveston Subsidence District or
 1-53 the Fort Bend Subsidence District, as applicable; or

1-54 (2) is no longer subject to the regulatory provisions,
 1-55 permitting requirements, or jurisdiction of the Harris-Galveston
 1-56 Subsidence District or the Fort Bend Subsidence District, as
 1-57 applicable.

1-58 (d-2) The board by rule may exempt any other classes of
 1-59 wells from the charge under Subsection (b). The board may not apply
 1-60 the charge under Subsection (b) to a well:

2-1 (1) with a casing diameter of less than five inches
2-2 that solely serves a single-family dwelling; or
2-3 (2) regulated under Chapter 27, Water Code.

2-4 SECTION 2. The West Harris County Regional Water Authority
2-5 retains all rights, powers, privileges, authorities, duties, and
2-6 functions that it had before the effective date of this Act.

2-7 SECTION 3. (a) The legislature validates and confirms all
2-8 governmental acts and proceedings of the West Harris County
2-9 Regional Water Authority that were taken before the effective date
2-10 of this Act.

2-11 (b) This section does not apply to any matter that on the
2-12 effective date of this Act:

2-13 (1) is involved in litigation if the litigation
2-14 ultimately results in the matter being held invalid by a final court
2-15 judgment; or

2-16 (2) has been held invalid by a final court judgment.

2-17 SECTION 4. (a) The legal notice of the intention to
2-18 introduce this Act, setting forth the general substance of this
2-19 Act, has been published as provided by law, and the notice and a
2-20 copy of this Act have been furnished to all persons, agencies,
2-21 officials, or entities to which they are required to be furnished
2-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-23 Government Code.

2-24 (b) The governor, one of the required recipients, has
2-25 submitted the notice and Act to the Texas Commission on
2-26 Environmental Quality.

2-27 (c) The Texas Commission on Environmental Quality has filed
2-28 its recommendations relating to this Act with the governor, the
2-29 lieutenant governor, and the speaker of the house of
2-30 representatives within the required time.

2-31 (d) All requirements of the constitution and laws of this
2-32 state and the rules and procedures of the legislature with respect
2-33 to the notice, introduction, and passage of this Act are fulfilled
2-34 and accomplished.

2-35 SECTION 5. This Act takes effect immediately if it receives
2-36 a vote of two-thirds of all the members elected to each house, as
2-37 provided by Section 39, Article III, Texas Constitution. If this
2-38 Act does not receive the vote necessary for immediate effect, this
2-39 Act takes effect September 1, 2013.

2-40 * * * * *