

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 6, 2013**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB611 by Lucio (Relating to the irrigation powers and functions of certain water districts; providing authority for a district by rule to change fees; clarifying a district's authority to impose certain assessments. ), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend sections of the Water Code to specify irrigation powers and functions of water control and improvement, water improvement, and irrigation districts, including procedures for contracts, assessments, liens, suits, and maintenance and operating expenses. In addition to the use of assessments, a portion of a district's maintenance and operation expenses must be paid by charges, fees, rentals, or deposits as determined by the board. The bill would also reduce the number of places that a public notice must be posted from three to one.

The bill would provide a landowner or person with the opportunity to file a petition with the Texas Commission on Environmental Quality (TCEQ) under certain conditions as specified by the provisions. A petition filed would require a determination by TCEQ on the appropriateness of the discontinuance and/or the amount of an assessment, charge, fee, rental, or deposit.

The bill would repeal Section 58.137 of the Water Code.

TCEQ indicated the costs associated with implementing the provisions of the bill could be reasonably absorbed within current resources; therefore, no significant fiscal impact is anticipated.

**Local Government Impact**

Districts could receive additional revenue from the levy of charges, fees, rentals, or deposits that could be applied toward a portion of the maintenance and operation expenses of a district; however, the amounts would vary depending on the amount of fees assessed which would offset some of the costs. No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 580 Water Development Board, 582 Commission on Environmental Quality, 592 Soil and Water Conservation Board

**LBB Staff:** UP, SZ, SD, TP