

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2015

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 4049, as Filed by Representative Jason Isaac-Relating to authorizing a production fee on certain non-exempt wells in the Hays Trinity Groundwater Conservation District.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends the enabling statute for the Hays Trinity Groundwater Conservation District (District), Chapter 8843, Special District Local Laws Code, relating to groundwater production fees. The bill provides the District by rule may charge and collect a production fee not to exceed 10 cents for each thousand gallons of groundwater permitted from a non-exempt commercial well in the district.

Sincerely,

A handwritten signature in black ink that reads "Kellye Rila".

Kellye Rila, Director
Water Availability Division

cc: The Honorable Jim Keffer, Chairman, House Committee on Natural Resources
Representative Jason Isaac, Texas House of Representatives

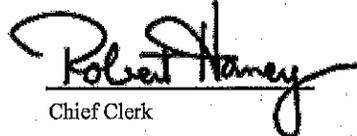
LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4049
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

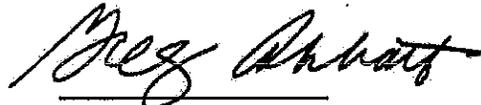
3/16/2015
Date transmitted to
Governor's Office


Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

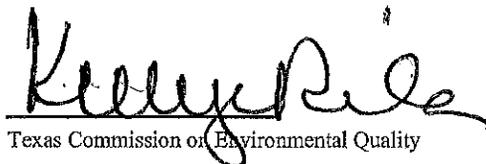
This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 17, 2015
Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality



84R HB 04049

By: Isaac

H.B. No. 4049

A BILL TO BE ENTITLED

1

AN ACT

2 relating to authorizing a production fee on certain non-exempt
3 wells in the Hays Trinity Groundwater Conservation District.

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

5 SECTION 1. Subchapter D, Chapter 8843, Special District
6 Local Laws Code, is amended by adding Section 8843.1516 to read
7 as follows:

8 Sec. 8843.1516. PRODUCTION FEE. The district by rule may
9 charge and collect a production fee not to exceed 10 cents for
10 each thousand gallons of groundwater permitted from a non-exempt
11 commercial well in the district.

12 SECTION 2. Section 8843.153, Special District Local Laws
13 Code, is amended to read as follows:

14 Sec. 8843.153. TAXES AND OTHER FEES
15 PROHIBITED. Notwithstanding Section 8843.101 or Subchapter G,
16 Chapter 36, Water Code, the district may not:

17 (1) impose a tax; or

18 (2) assess or collect any fees except as authorized by
19 this subchapter [~~Section 8843.151 or 8843.152~~].

20 SECTION 3. Section 8843.1516, Special District Local Laws
21 Code, as added by this Act, applies only to groundwater produced
22 on or after the effective date of this Act.

23 SECTION 4. This Act takes effect September 1, 2015.

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