

## **BILL ANALYSIS**

Senate Research Center

H.B. 4049  
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Agriculture, Water & Rural Affairs  
5/19/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Hays Trinity Groundwater Conservation District serves western Hays County with its core mission being to conserve, preserve, recharge, and prevent waste of groundwater. Recently, the Hays County Commissioners Court altered the county's funding of the district, leaving the district with the potential for a funding deficit in the future. H.B. 4049 seeks to stabilize the district's funding by authorizing a production fee on certain non-exempt wells.

H.B. 4049 amends current law relating to authorizing a production fee on certain non-exempt wells in the Hays Trinity Groundwater Conservation District.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 8843, Special District Local Laws Code, by adding Section 8843.1516, as follows:

Sec. 8843.1516. PRODUCTION FEE. Authorizes the Hays Trinity Groundwater Conservation District (district) by rule to 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.

SECTION 2. Amends Section 8843.153, Special District Local Laws Code, as follows:

Sec. 8843.153. TAXES AND OTHER FEES PROHIBITED. Prohibits the district, notwithstanding Section 8843.101 (Groundwater Conservation District Powers and Duties) or Subchapter G (District Revenues), Chapter 36 (Groundwater Conservation Districts), Water Code, from:

(1) imposing a tax; or

(2) assessing or collecting any fees except as authorized by this subchapter, rather than by Section 8843.151 (Well Construction Fee) or 8843.152 (Service Connection Fee).

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

SECTION 4. Effective date: September 1, 2015.