

BILL ANALYSIS

Senate Research Center
85R29394 TSR-D

C.S.H.B. 922
By: Workman (Buckingham)
Agriculture, Water & Rural Affairs
5/19/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 922 amends the Special District Local Laws Code to create the Southwestern Travis County Groundwater Conservation District. The bill establishes that an election to confirm the creation of the district is not required and provides for, among other provisions, temporary and initial directors of the district and the composition of the district's board of directors. The bill authorizes the district to implement and develop aquifer storage and recovery projects in accordance with the Injection Well Act, Water Code provisions governing groundwater conservation districts, and Texas Commission on Environmental Quality rules and guidance. The bill requires a well owner to obtain a permit and pay any required fees before using any groundwater withdrawn from a well and provides for certain exempt wells.

H.B. 922 sets out provisions relating to property access by an employee or agent of the district. The bill authorizes the district to charge and collect a new well construction fee capped at \$1,000 for a new well and a permit renewal application fee capped at \$400. The bill authorizes the district to levy and collect a water utility service connection fee capped at \$1,000 for each new water service connection made after September 1, 2017, and exempts a water utility that has surface water as its sole source of water from such a fee. The bill authorizes the district to impose reasonable production fees on each nonexempt well based on the amount of water actually withdrawn from the well capped at 20 cents per thousand gallons. The bill authorizes the district to set a reasonable fee for administrative management on a per well basis. The bill authorizes the district to set a fee for administrative management on a well used solely for domestic or livestock purposes in an amount capped at \$15 per well per year and on a well that is exempt from permitting and that is not used solely for domestic or livestock purposes in an amount capped at \$50 per well per year. The bill prohibits the district from charging certain fees and from exercising the power of eminent domain and provides for a limitation on the district's authority to impose taxes. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 922 amends current law relating to the creation of the Southwestern Travis County Groundwater Conservation District, provides authority to issue bonds, and provides authority to impose fees.

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. Sets forth legislative findings.

SECTION 2. Amends Subtitle H, Title 6, Special District Local Laws Code, by adding Chapter 8871, as follows:

CHAPTER 8871. SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Sets forth standard language for the creation of the Southwestern Travis County Groundwater Conservation District (district). Sets forth standards, procedures, requirements, and criteria for:

General provisions, including the nature of the district, public use, the initial district territory, and the provision that a confirmation election is not required (Sections 8871.001-8871.020);

Creation and approval of the district and provisions for the election and powers of the initial directors of the district (Sections 8871.021-8871.050);

Size, composition, appointment, and terms of the board of directors (Sections 8871.051-8871.100);

Powers and duties of the district (Sections 8871.101-8871.150); and

General financial provisions, and authority to impose certain fees and taxes (Sections 8871.151-8871.200).

SECTION 3. Sets forth the initial boundaries of the district.

SECTION 4. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. Effective date: September 1, 2017.