

BILL ANALYSIS

Senate Research Center
85R17825 SLB-D

H.B. 4291
By: Schubert (Kolkhorst)
Agriculture, Water & Rural Affairs
5/11/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4291 amends the Special District Local Laws Code to add as a purpose for which the Colorado County Groundwater Conservation District may impose property taxes and assess fees the accomplishment of the district's regulatory goals and to authorize the district, for such purposes, to solicit and accept grants from any public or private source. H.B. 4291 replaces the authorization for the district to assess reasonable fees for services provided and for water withdrawn from each well that is not exempt from district permitting or regulation with an authorization for the district to assess production fees as authorized by statutory groundwater conservation district provisions. H.B. 4291 changes the fee the district may assess for water exported from the district from a reasonable fee to a fee capped at 150 percent of the maximum wholesale water rate charged by the City of Houston. H.B. 4291 authorizes the district to assess other fees authorized under statutory groundwater conservation district provisions.

H.B. 4291 amends current law relating to the fees charged by the Colorado County 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 the heading to Section 8824.151, Special District Local Laws Code, to read as follows:

Sec. 8824.151. DISTRICT REVENUE AND FEES.

SECTION 2. Amends Section 8824.151(a), Special District Local Laws Code, as follows:

(a) Authorizes the Colorado County Groundwater Conservation District (district), to accomplish the regulatory goals of the district, pay the maintenance and operating costs of the district, and pay any bonds or notes issued by the district, to:

(1) impose ad valorem taxes at a rate not to exceed three cents on each \$100 of assessed valuation of taxable property in the district;

(2) assess production fees as authorized by Section 36.205 (Authority to Set Fees), Water Code;

(3) solicit and accept grants from any public or private source;

(4) assess an export fee on water exported from the district in an amount not to exceed 150 percent of the maximum wholesale water rate charged by the City of Houston; and

(5) assess other fees authorized under Chapter 36 (Groundwater Conservation Districts), Water Code.

Deletes existing text authorizing the district to pay the maintenance and operating costs of the district and to pay any bonds or notes issued by the district, to assess reasonable fees for services provided, water withdrawn from each well that is not exempt from district permitting or regulation, or groundwater exported from the district.

SECTION 3. Effective date: upon passage or September 1, 2017.