

By: Nevárez

H.B. No. 3126

A BILL TO BE ENTITLED

AN ACT

relating to the Jeff Davis County Underground Water Conservation District; authorizing a fee.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8891 to read as follows:

CHAPTER 8891. JEFF DAVIS COUNTY UNDERGROUND WATER CONSERVATION

DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8891.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commissioners court" means the Jeff Davis County Commissioners Court.

(3) "Director" means a board member.

(4) "District" means the Jeff Davis County Underground Water Conservation District.

Sec. 8891.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Jeff Davis County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8891.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the works and projects accomplished by the

1 district under the powers conferred by Section 59, Article XVI,
2 Texas Constitution.

3 Sec. 8891.004. DISTRICT TERRITORY. The district's
4 boundaries are coextensive with the boundaries of Jeff Davis
5 County, unless the district's territory has been modified under:

- 6 (1) Subchapter J or K, Chapter 36, Water Code; or
7 (2) other law.

8 Sec. 8891.005. APPLICABILITY OF OTHER GROUNDWATER
9 CONSERVATION DISTRICT LAW. (a) Except as otherwise provided by
10 this chapter, Chapter 36, Water Code, applies to the district.

11 (b) Section 36.121, Water Code, does not apply to the
12 district.

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8891.051. COMPOSITION OF BOARD; TERMS. (a) The
15 district is governed by a board of five directors appointed by the
16 commissioners court.

17 (b) Directors serve staggered four-year terms that expire
18 on March 1 of the applicable odd-numbered year.

19 Sec. 8891.052. VACANCIES. If there is a vacancy on the
20 board, the commissioners court shall appoint a director to serve
21 the remainder of the term.

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8891.101. GENERAL POWERS AND DUTIES. The district has
24 the rights, powers, privileges, functions, and duties provided by
25 the general law of this state, including Chapter 36, Water Code,
26 applicable to groundwater conservation districts created under
27 Section 59, Article XVI, Texas Constitution.

1 Sec. 8891.102. LIMITATION ON TAXES. The district may not
2 impose taxes in the district.

3 Sec. 8891.103. FEES. (a) The district may assess fees as
4 authorized by Section 36.205, Water Code.

5 (b) The district may not charge for an annual period
6 production fees greater than \$1 per acre-foot for water used for
7 agricultural use or 17 cents per 1,000 gallons for water used for
8 any other purpose.

9 SECTION 2. Chapter 641, Acts of the 73rd Legislature,
10 Regular Session, 1993, is repealed.

11 SECTION 3. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor, the
23 lieutenant governor, and the speaker of the house of
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

1 and accomplished.

2 SECTION 4. This Act takes effect September 1, 2017.