86R8014 AAF-F

By:  Zwiener H.B. No. 1304

A BILL TO BE ENTITLED

AN ACT

relating to the Hays Trinity Groundwater Conservation District; authorizing a fee.

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

SECTION 1.  Sections 8843.104 and 8843.153, Special District Local Laws Code, are amended to read as follows:

Sec. 8843.104.  PERMIT REQUIRED; EXEMPT USE [~~WELLS~~]. (a) The district may not require a permit to drill or operate [~~Groundwater withdrawals from the following wells may not be regulated, permitted, or metered by the district~~]:

(1)  a well used for domestic use by a single-family [~~single private~~] residential household and incapable of producing more than 25,000 gallons per day; and

(2)  a well used for agricultural use [~~conventional farming and ranching activities, including such intensive operations as aquaculture, livestock feedlots, or poultry operations~~].

(b)  The district may not require a meter on [~~charge or collect a well construction fee for~~] a well described by Subsection (a) [~~(a)(2)~~].

(c) [~~(b-1)~~]  A well owner must obtain a permit and pay any required fees, including a well construction fee, before using any groundwater withdrawn from a well in the district for purposes other than those exempted by this chapter or Chapter 36, Water Code [~~section~~].

[~~(c)  A well used for dewatering and monitoring in the production of coal or lignite is exempt from permit requirements, regulations, and fees imposed by the district.~~]

(d)  The district may not enter property to inspect a [~~an exempt~~] well described by Subsection (a) without the property owner's permission.

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

[~~(1)~~]  impose a tax[~~; or~~

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

SECTION 2.  Subchapter D, Chapter 8843, Special District Local Laws Code, is amended by adding Section 8843.155 to read as follows:

Sec. 8843.155.  FEES. (a) The district may assess production fees as authorized by Section 36.205, Water Code.

(b)  The district may not charge for an annual period a production fee greater than:

(1)  $1 per acre-foot for water used for agricultural use; or

(2)  25 cents per 1,000 gallons for water used for any other purpose.

SECTION 3.  The following sections of the Special District Local Laws Code are repealed:

(1)  Section 8843.055;

(2)  Section 8843.105;

(3)  Section 8843.106; and

(4)  Section 8843.154.

SECTION 4.  This Act takes effect September 1, 2019.