

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groundwater withdrawn from a well in the district for purposes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

1 ~~[section].~~

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

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

8 Sec. 8843.153. TAXES ~~[AND OTHER FEES]~~ PROHIBITED.

9 Notwithstanding Section 8843.101 or Subchapter G, Chapter 36, Water
10 Code, the district may not~~+~~

11 ~~[(1)]~~ impose a tax~~+, or~~

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

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

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

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

21 (1) \$1 per acre-foot for water used for agricultural
22 use; or

23 (2) 25 cents per 1,000 gallons for water used for any
24 other purpose.

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26 Local Laws Code are repealed:

27 (1) Section 8843.055;

1 (2) Section 8843.105;

2 (3) Section 8843.106; and

3 (4) Section 8843.154.

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