

By: Zwiener

H.B. No. 4618

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. Section 8843.056(c), Special District Local Laws Code, is amended to read as follows:

(c) At the first election after the single-member districts are revised, a new director shall be elected from each district. The directors shall draw lots to determine which two directors serve two-year [~~one-year~~] terms and which three directors serve four-year [~~two-year~~] terms.

SECTION 2. Section 8843.104, Special District Local Laws Code, is amended to read as follows:

Sec. 8843.104. EXEMPT WELLS. (a) In this section, "existing well" means a well in the district that was completed on or before September 1, 2001.

(a-1) The district may not require a permit to operate an existing well used for [~~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 that is [~~and~~] incapable of producing more than 25,000 gallons of groundwater per day; or [~~and~~]

(2) [~~a well used for~~] agricultural use [~~conventional farming and ranching activities, including such intensive~~]

1 ~~operations as aquaculture, livestock feedlots, or poultry~~
2 ~~operations]~~.

3 (b) The district may not require a meter on [~~charge or~~
4 ~~collect a well construction fee for~~] a well described by Subsection
5 (a-1)(1) [~~(a)(2)~~].

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8 groundwater withdrawn from a well in the district for purposes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

11 (c) The owner of a [A] well used for commercial agricultural
12 irrigation use shall:

13 (1) register the well with the district;

14 (2) install a meter that meets district standards for
15 accuracy; and

16 (3) annually report the total amount of groundwater
17 production from the well on a form approved [~~dewatering and~~
18 ~~monitoring in the production of coal or lignite is exempt from~~
19 ~~permit requirements, regulations, and fees imposed~~] by the
20 district.

21 (d) The district may not enter property to inspect a a [~~an~~
22 ~~exempt~~] well described by Subsection (a-1)(1) without the property
23 owner's permission.

24 SECTION 3. Section 8843.152, Special District Local Laws
25 Code, is amended by amending Subsection (b) and adding Subsection
26 (c) to read as follows:

27 (b) The district may assess [~~levy and collect~~] a water

1 utility service connection fee only in accordance with the
 2 following schedule and Subsection (c) based on the size of the meter
 3 to be installed:

| 4 <u>Meter Size</u> | <u>Multiplier</u> | <u>Maximum Fee</u> |
|---------------------|-------------------|--------------------|
| 5 <u>5/8"</u> | <u>1.0</u> | <u>\$1,000</u> |
| 6 <u>3/4"</u> | <u>1.5</u> | <u>\$1,500</u> |
| 7 <u>1"</u> | <u>2.5</u> | <u>\$2,500</u> |
| 8 <u>1.5"</u> | <u>5.0</u> | <u>\$5,000</u> |
| 9 <u>2"</u> | <u>8.0</u> | <u>\$8,000</u> |
| 10 <u>3"</u> | <u>16.0</u> | <u>\$16,000</u> |
| 11 <u>4"</u> | <u>25.0</u> | <u>\$25,000</u> |

12 (c) The fee for a meter size smaller than five-eighths of an
 13 inch may not exceed \$1,000 [~~not to exceed \$1,000 for each new water~~
 14 ~~service connection made after September 1, 2013~~].

15 SECTION 4. Section 8843.153, Special District Local Laws
 16 Code, is amended to read as follows:

17 Sec. 8843.153. TAXES [~~AND OTHER FEES~~] PROHIBITED.
 18 Notwithstanding Section 8843.101 or Subchapter G, Chapter 36, Water
 19 Code, the district may not~~+~~
 20 [~~(1)~~] impose a tax~~[, or~~
 21 [~~(2)~~] ~~assess or collect any fees except as authorized~~
 22 ~~by Section 8843.151 or 8843.152~~].

23 SECTION 5. Subchapter D, Chapter 8843, Special District
 24 Local Laws Code, is amended by adding Section 8843.155 to read as
 25 follows:

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

1 district may not assess production fees for water used for
2 agricultural use.

3 (b) The district may not charge for an annual period a
4 production fee greater than 25 cents per 1,000 gallons authorized
5 to be withdrawn under a permit issued by the district.

6 SECTION 6. The following sections of the Special District
7 Local Laws Code are repealed:

- 8 (1) Section 8843.055;
9 (2) Section 8843.105; and
10 (3) Section 8843.106.

11 SECTION 7. This Act takes effect September 1, 2021.