By:  King of Uvalde H.B. No. 3059

A BILL TO BE ENTITLED

AN ACT

relating to fees charged by a groundwater conservation district; authorizing an increase in the rate of a fee.

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

SECTION 1.  Section 36.122, Water Code, is amended by amending Subsection (e) and adding Subsections (e-1) and (e-2) to read as follows:

(e)  The district may impose an export fee or surcharge using one of the following methods:

(1)  a fee negotiated between the district and the exporter; or

(2)  for a tax-based district, a rate not to exceed 20 cents [~~the equivalent of the district's tax rate per hundred dollars of valuation~~] for each thousand gallons of water exported from the district [~~or 2.5 cents per thousand gallons of water, if the district assesses a tax rate of less than 2.5 cents per hundred dollars of valuation~~]; or

(3)  for a fee-based district, a rate not to exceed the greater of 20 cents for each thousand gallons or a 50 percent surcharge, in addition to the district's production fee, for water exported from the district.

(e-1)  Beginning on January 1, 2024, and annually thereafter, the maximum rate of 20 cents for each one thousand gallons of water exported that a district may impose under Subsections (e)(2) or (e)(3) shall automatically increase at a rate of three percent per year.

(e-2)  A district that is governed by a special law in regard to an export fee or surcharge on water exported from the district may charge an export fee or surcharge in accordance with that special law or in accordance with Subsections (e) and (e-1).

SECTION 2.  Section 36.207, Water Code, is amended to read as follows:

Sec. 36.207.  USE OF FEES. A district may use funds obtained from administrative, production, or export fees collected under a special law governing the district or this chapter for any purpose consistent with the district's approved management plan, including, without limitation, making grants, loans, or contractual payments to achieve, facilitate, expedite reductions in groundwater pumping or the development or distribution of alternative water supplies, or to maintain the operability of wells significantly affected by groundwater development.

SECTION 3.  This Act takes effect September 1, 2023.