

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

1 (e)(3) shall automatically increase at a rate of three percent per
2 year.

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

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

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

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