

1-1 By: King of Uvalde (Senate Sponsor - Perry) H.B. No. 3059  
 1-2 (In the Senate - Received from the House April 18, 2023;  
 1-3 April 20, 2023, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 9, 2023, reported adversely, with  
 1-5 favorable Committee Substitute by the following vote: Yeas 8,  
 1-6 Nays 0; May 9, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3059 By: Perry

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the export fee charged for the transfer of groundwater  
 1-22 from a groundwater conservation district.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 36.122, Water Code, is amended by  
 1-25 amending Subsections (e) and (p) and adding Subsections (e-1),  
 1-26 (e-2), and (e-3) to read as follows:

1-27 (e) Except as provided by Subsection (e-1), the [The]  
 1-28 district may impose an export fee or surcharge using one of the  
 1-29 following methods:

1-30 (1) a fee negotiated between the district and the  
 1-31 exporter;

1-32 (2) for a tax-based district, a rate not to exceed 20  
 1-33 cents [the equivalent of the district's tax rate per hundred  
 1-34 dollars of valuation] for each thousand gallons of water exported  
 1-35 from the district [or 2.5 cents per thousand gallons of water, if  
 1-36 the district assesses a tax rate of less than 2.5 cents per hundred  
 1-37 dollars of valuation]; or

1-38 (3) for a fee-based district, a rate not to exceed the  
 1-39 greater of 20 cents for each thousand gallons or a 50 percent  
 1-40 surcharge, in addition to the district's production fee, for water  
 1-41 exported from the district.

1-42 (e-1) Effective January 1, 2024, the maximum allowable rate  
 1-43 a district may impose for an export fee or surcharge under  
 1-44 Subsection (e)(2) or (e)(3) increases by three percent each  
 1-45 calendar year.

1-46 (e-2) A district governed by a special law in regard to an  
 1-47 export fee or surcharge on water exported from the district may  
 1-48 charge an export fee or surcharge in accordance with that special  
 1-49 law or in accordance with Subsections (e) and (e-1).

1-50 (e-3) An export fee or surcharge imposed under Subsection  
 1-51 (e) or an increase in an imposed export fee or surcharge is not  
 1-52 valid unless it is approved by the board after a public hearing.

1-53 (p) Subsections [Subsection] (e), (e-1), and (e-2) do  
 1-54 [does] not apply to a district that is collecting an export fee or  
 1-55 surcharge on March 1, 2001.

1-56 SECTION 2. Section 36.207, Water Code, is amended to read as  
 1-57 follows:

1-58 Sec. 36.207. USE OF FEES. A district may use funds obtained  
 1-59 from administrative, production, or export fees collected under a  
 1-60 special law governing the district or this chapter for any purpose

2-1 consistent with the district's approved management plan,  
2-2 including, without limitation, making grants, loans, or  
2-3 contractual payments to achieve, facilitate, or expedite  
2-4 reductions in groundwater pumping or the development or  
2-5 distribution of alternative water supplies or to maintain the  
2-6 operability of wells significantly affected by groundwater  
2-7 development to allow for the highest practicable level of  
2-8 groundwater production while achieving the desired future  
2-9 conditions established under Section 36.108.

2-10 SECTION 3. This Act takes effect September 1, 2023.

2-11 \* \* \* \* \*