

BILL ANALYSIS

Senate Research Center
89R13392 JBD-F

S.B. 1611
By: Kolkhorst
Water, Agriculture and Rural Affairs
4/9/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill contains language from Section 2 of S.B. 1080, which was unanimously passed by the Senate Water, Agricultural, and Rural Affairs committee and then passed the Senate 30-0 but died by the governor's veto pen because it was not more important than property tax reform.

S.B. 1611 builds upon H.B. 3059, which was passed by the 88th Legislature and sponsored by Chairman Perry. S.B. 1611 changes the language regarding fees and changes the pumping fees to production fees to align the district fees with production fees authorized under Chapter 36, Water Code. The district is already authorized to collect fees that fund the program.

As proposed, S.B. 1611 amends current law relating to fees assessed by the Lost Pines Groundwater Conservation District.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8849.151, Special District Local Laws Code, as follows:

Sec. 8849.151. New heading: FEES. (a) Authorizes the Lost Pines Groundwater Conservation District (district) to assess production fees under Section 36.205(c) (relating to limits on production fees based on permits authorizing the amount of water withdrawn from wells), Water Code, and export fees under Section 36.122 (Transfer of Groundwater Out of District), Water Code, rather than assess regulatory pumping fees for water produced in or exported from the district.

(b) Makes a conforming change to this subsection.

(c) Prohibits production fees, rather than regulatory pumping fees based on the amount of water withdrawn from a well, from exceeding certain amounts.

Deletes existing text of Subsection (d) prohibiting the combined regulatory pumping fees for production and export of water from exceeding 17 cents for each thousand gallons for water used.

SECTION 2. Provides that mitigation payments and fees assessed before the effective date of this Act are ratified, confirmed, and validated in all respects.

SECTION 3. Effective date: upon passage or September 1, 2025.