

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/24/13

Date

Honorable David Dewhurst
President of the Senate

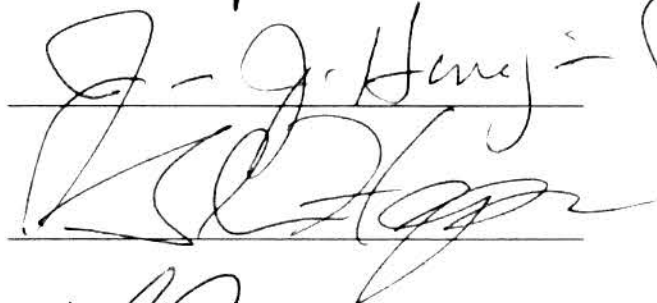
Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB3903 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.




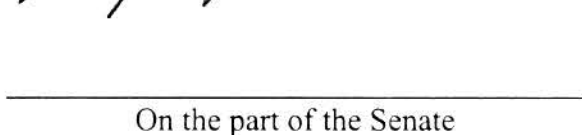


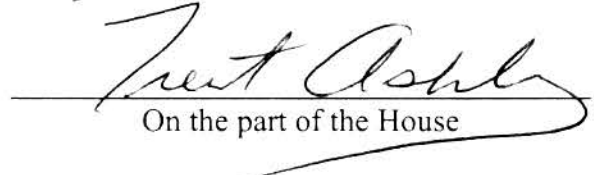












On the part of the Senate

On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 3903

A BILL TO BE ENTITLED

AN ACT

relating to the Hays Trinity Groundwater Conservation District;
providing authority to increase certain fees; authorizing a fee.

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

SECTION 1. Section 8843.051(b), Special District Local Laws
Code, is amended to read as follows:

(b) Directors serve staggered four-year [~~two-year~~] terms.

SECTION 2. Section 8843.053, Special District Local Laws
Code, is amended to read as follows:

Sec. 8843.053. ELECTION DATE. On the uniform election date
in November [~~May~~] of each even-numbered year, the appropriate
number of directors shall be elected.

SECTION 3. Section 8843.103, Special District Local Laws
Code, is amended to read as follows:

Sec. 8843.103. WELL CONSTRUCTION NOTIFICATION
[~~PERMIT~~]. Notwithstanding Section 8843.104, a landowner must
notify the district before [~~Except as provided by Sections~~
~~8843.104(b) and (c), the district may require a permit for~~] the
construction of a new well that is to be completed after September
1, 2013 [~~2001~~].

SECTION 4. Section 8843.104, Special District Local Laws
Code, is amended by amending Subsections (a) and (b) and adding
Subsection (b-1) to read as follows:

(a) Groundwater withdrawals from the [~~The~~] following wells

1 ~~[are exempt from the requirements of Chapter 36, Water Code, and]~~
2 may not be regulated, permitted, or metered by the district:

3 (1) a well used for domestic use by a single private
4 residential household and incapable of producing more ~~[less]~~ than
5 25,000 gallons per day; and

6 (2) a well used for conventional farming and ranching
7 activities, including such intensive operations as aquaculture,
8 livestock feedlots, or poultry operations.

9 (b) The district may not charge or collect a well
10 construction fee for ~~[require a permit to construct]~~ a well
11 described by Subsection (a)(2).

12 (b-1) A well owner must obtain a permit and pay any required
13 fees, including a well construction fee, before using any
14 groundwater withdrawn from a well for purposes other than those
15 exempted by this section.

16 SECTION 5. Section 8843.151, Special District Local Laws
17 Code, is amended to read as follows:

18 Sec. 8843.151. WELL CONSTRUCTION ~~[PERMIT]~~ FEE. The
19 district may charge and collect a new well construction ~~[permit]~~
20 fee not to exceed \$1,000 ~~[\$300]~~ for a new well ~~[for which the~~
21 ~~district requires a permit under Section 8843.103]~~.

22 SECTION 6. Subchapter D, Chapter 8843, Special District
23 Local Laws Code, is amended by adding Section 8843.1515 to read as
24 follows:

25 Sec. 8843.1515. PERMIT RENEWAL APPLICATION FEE. The
26 district may charge and collect a permit renewal application fee
27 not to exceed \$400.

SECTION 7. Section 8843.152(b), Special District Local Laws Code, is amended to read as follows:

(b) The district may levy and collect a water utility service connection fee not to exceed \$1,000 [~~\$300~~] for each new water service connection made after September 1, 2013 [~~2001~~].

SECTION 8. Sections 8843.102 and 8843.155, Special District Local Laws Code, are repealed.

SECTION 9. Section 8843.151, Special District Local Laws Code, as amended by this Act, applies only to a well for which construction begins on or after the effective date of this Act. A well for which construction begins before that date is governed by the law in effect when the construction began, and that law is continued in effect for that purpose.

SECTION 10. The change in law made by Section 8843.1515, Special District Local Laws Code, as added by this Act, applies only to an application for the renewal of a permit submitted to the Hays Trinity Groundwater Conservation District after September 1, 2013. An application submitted before that date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 11. To establish staggered four-year terms of office as required by Sections 8843.051(b) and 8843.053, Special District Local Laws Code, as amended by this Act, a director elected in November 2012 shall serve a term expiring December 1, 2014, and a director elected in November 2013 shall serve a term expiring December 1, 2016.

SECTION 12. This Act takes effect September 1, 2013.

House Bill 3903
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IF)	CONFERENCE
SECTION 1. Section 8843.051(b), Special District Local Laws Code, is amended.	SECTION 1. Same as House version.	SECTION 1. Same as House version.
SECTION 2. Section 8843.053, Special District Local Laws Code, is amended.	SECTION 2. Same as House version.	SECTION 2. Same as House version.
SECTION 3. Section 8843.103, Special District Local Laws Code, is amended.	SECTION 3. Same as House version.	SECTION 3. Same as House version.
SECTION 4. Section 8843.104, Special District Local Laws Code, is amended.	SECTION 4. Same as House version.	SECTION 4. Same as House version.
SECTION 5. Section 8843.151, Special District Local Laws Code, is amended.	SECTION 5. Same as House version.	SECTION 5. Same as House version.
SECTION 6. Subchapter D, Chapter 8843, Special District Local Laws Code, is amended.	SECTION 6. Same as House version.	SECTION 6. Same as House version.
SECTION 7. Section 8843.152(b), Special District Local Laws Code, is amended.	SECTION 7. Same as House version.	SECTION 7. Same as House version.
SECTION 8. Sections 8843.102 and 8843.155, Special District Local Laws Code, are repealed.	SECTION 8. Same as House version.	SECTION 8. Same as House version.

House Bill 3903
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
SECTION 9. Saving provision.	SECTION 9. Same as House version.	SECTION 9. Same as House version.
SECTION 10. Saving provision.	SECTION 10. Same as House version.	SECTION 10. Same as House version.
SECTION 11. Transition provision.	SECTION 11. Same as House version.	SECTION 11. Same as House version.
SECTION 12. Effective date.	SECTION 12. Same as House version.	SECTION 12. Same as House version.
No equivalent provision.	SECTION __ (a) The West Travis County Public Utility Agency is converted to a conservation and reclamation district to be known as the Hill Country Regional Water Authority located in Hays and Travis Counties. (b) The Hill Country Regional Water Authority is not required to hold an election to confirm the creation of the authority. [FA1]	Same as House version.
No equivalent provision.	SECTION __ It is the intent and finding of the legislature that: (1) the residents and customers served by the West Travis County Public Utility Agency before the effective date of this Act will be provided by the creation of the Hill Country Regional Water Authority under this Act with the means to obtain services authorized by Sections 8601.101 and 8601.102, Special District Local Laws Code, as added by this Act, in the most effective and efficient manner without the	Same as House version.

House Bill 3903
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Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	impairment of any existing contracts or obligations of the West Travis County Public Utility Agency; and (2) the creation of the Hill Country Regional Water Authority under this Act will further important public policy objectives by: (A) supporting public ownership of important water and wastewater utility infrastructure in an environmentally sensitive area; and (B) protecting the interests of current ratepayers. [FA1]	
No equivalent provision.	SECTION __ The heading to Subtitle G, Title 6, Special District Local Laws Code, is amended to read as follows: SUBTITLE G. RIVER AUTHORITIES <u>AND OTHER SPECIAL WATER AUTHORITIES</u> [FA1]	Same as House version
No equivalent provision.	SECTION __ Subtitle G, Title 6, Special District Local Laws Code, is amended by adding Chapter 8601 to provide for the creation of the Hill Country Regional Water Authority.	Same as House version
No equivalent provision.	SECTION __ On the effective date of this Act: (1) the Hill Country Regional Water Authority shall assume all assets, liabilities, and obligations of the West Travis County Public Utility Agency; (2) all contracts and written agreements of the West Travis County Public Utility Agency are assigned to and assumed by the Hill Country Regional Water Authority; and (3) the Utilities Installment Purchase Agreement entered January 17, 2012, between the Lower Colorado River Authority and the West Travis County Public Utility Agency,	Same as House version.

House Bill 3903
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	as amended, is assigned to and assumed by the Hill Country Regional Water Authority created by this Act and is valid and enforceable by its terms. Governmental immunity from liability or suit is waived for the parties to enforce that Utilities Installment Purchase Agreement to the extent provided by Subchapter I, Chapter 271, Local Government Code. [FA1]	
No equivalent provision.	SECTION __.(a) The board of directors of the Hill Country Regional Water Authority shall initiate a public process involving district stakeholders and other interested persons to develop a plan to address the future governance of the authority, including consideration of: (1) the election of member positions by ratepayers; (2) retail and wholesale customer representation; and (3) the allocation of representatives from Hays and Travis Counties. (b) Not later than January 1, 2015, the board of directors of the Hill Country Regional Water Authority shall present the plan developed under Subsection (a) of this section as a proposal for legislation to the committees of the 84th Legislature having primary jurisdiction over water districts and to each of the state representatives and state senators in whose district the territory of the Hill Country Regional Water Authority is located. [FA1]	Same as House version.
No equivalent provision.	SECTION __.(a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies,	Same as House version.
Associated CCR Draft: 83R31554	4	13.144.627

House Bill 3903
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
	<p>officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.</p> <p>(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.</p> <p>(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.</p> <p>(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished. [FA1]</p>	
No equivalent provision.	SECTION __. Relating to the eminent domain powers of the Hill Country Regional Water Authority. [FA1]	Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3903 by Isaac (Relating to the Hays Trinity Groundwater Conservation District; providing authority to increase certain fees; authorizing a fee.), **Conference Committee Report**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, SZ, TP

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 3903 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

Jason Isaac

(name)

8/24/13

(date)