

BILL ANALYSIS

Senate Research Center
77R11855 MI-D

H.B. 3024
By: Chisum (Bivins)
Natural Resources
5/2/2001
Engrossed

DIGEST AND PURPOSE

Under current law, the Panhandle Groundwater Conservation District (district) is prohibited from engaging in the sale or distribution of surface or groundwater for any purpose. In addition, the district is not authorized to impose a fee on water transported out of the district. However, if such a fee were imposed, the revenues could be used to conduct detailed hydrological and predictive modeling studies and analyses. H.B. 3024 removes the provision that prohibits the district from engaging in the sale or distribution of surface or underground water for any purpose and authorizes the district to impose a reasonable fee on water transported out of the 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 Sections 2 and 3, Chapter 19, Acts of the 55th Legislature, Regular Session, 1957 (Article 8280-191, V.T.C.S.), as follows:

Sec. 2. Provides that the Panhandle Groundwater Conservation District (district) has certain powers and duties created under authority of Article 16, Section 59 of the Constitution of Texas, and Chapters 35 (Groundwater Studies) and 36 (Groundwater Conservation Districts), Water Code. Deletes reference to Groundwater Conservation District Number Three, South of the Canadian River. Deletes text regarding Chapter 3A of Title 128, V.T.C.S. Makes a conforming change.

Sec. 3. Makes a conforming change.

SECTION 2. Amends Chapter 19, Acts of the 55th Legislature, Regular Session, 1957 (Article 8280-191, V.T.C.S.), as follows:

Sec. 2A. (a) Authorizes the district to impose a reasonable fee on water transported out of the district, not to exceed certain amounts.

(b) Provides that a conservation and reclamation district created under Section 59, Article XVI, Texas Constitution, that provides water to five or more municipalities outside the district and holds a permit granted before March 1, 2001, is not required to pay a fee under Subsection (a) but shall pay the district an amount equal to 60 percent of the district's annually set tax rate per \$100 valuation for each 1,000 gallons of water the conservation and reclamation district delivers to a municipality located entirely outside the district beginning on the effective date of the law enacting this section. Provides that this subsection applies to all deliveries made to a municipality that is a member of the conservation and reclamation district on the effective date of the law enacting this section, regardless of whether the delivery is covered by a permit in effect

at that time. Provides that this subsection does not apply to a municipality that is not a member of the conservation and reclamation district on the effective date of the law enacting this section.

SECTION 3. Effective date: September 1, 2001.