

BILL ANALYSIS

Senate Research Center
79R6028 QS-F

S.B. 1674
By: Barrientos
Natural Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, there is a heavy reliance by many users in the Barton Springs-Edwards Aquifer District (district) on groundwater because groundwater is less expensive than surface water.

As proposed, S.B. 1674 gives the district the authority to adopt an alternative fee structure to encourage voluntary conservation and the conjunctive use of surface and groundwater resources.

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. Provides that the legislature finds that the Barton Springs-Edwards Aquifer Conservation District benefits the sustainable use of groundwater by promoting, through fee and permitting mechanisms, alternatives to the exclusive use of groundwater resources, including the conjunctive use of groundwater and surface water resources.

SECTION 2. Amends Section 2, Chapter 429, Acts of the 70th Legislature, Regular Session, 1987, by amending Subsection (f)(2) and adding Subsections (g) and (h), as follows:

(f)(2) Authorizes the board of directors of the Barton Springs-Edwards Aquifer Conservation District (board) to assess the City of Austin, as a water use fee, each year an amount not to exceed 60, rather than 40, percent of the total funding of the district received from water use fees assessed against Austin and other nonexempt users. Provides that, for purposes of this section, the total annual funding of the district received from water use fees assessed against Austin and other nonexempt users is determined using the rates in effect for permits issued for water used for any purpose other than agricultural use immediately before September 1, 2005.

(g) Prohibits the board, except as provided by Subsection (h), from charging an annual production fee of more than \$1 per acre-foot for water used for agricultural use or 17 cents per thousand gallons of water used for any other purpose. Authorizes the board to adopt a differential rate structure for non-agricultural production fees to promote alternatives to the exclusive use of groundwater resources.

(h) Authorizes the board, for a permit approved or materially amended after September 1, 2005, or a permit issued after September 9, 2004, and renewed after September 1, 2005, to charge an annual production fee of not more than 31 cents per thousand gallons for water used for any purpose other than agricultural use.

SECTION 3. Amends Section 36.205(d), Water Code, to delete existing text authorizing the district to assess a water use fee against certain municipalities.

SECTION 4. Effective date: September 1, 2005.