

## **BILL ANALYSIS**

Senate Research Center  
85R12495 AAF-F

H.B. 3185  
By: Frank (Perry)  
Agriculture, Water & Rural Affairs  
5/16/2017  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that the Rolling Plains Groundwater Conservation District's current authority to charge export fees potentially restricts the district's ability to enact a balanced export fee that serves current permit holders and the long-term security of groundwater resources. H.B. 3185 seeks to address this issue by authorizing the district to assess a fee for exported groundwater in a certain maximum amount.

H.B. 3185 amends the Special District Local Laws Code to authorize the Rolling Plains Groundwater Conservation District to assess export fees in an annual amount capped at 150 percent of the maximum commercial water rate charged by the City of Wichita Falls for groundwater exported from the district. The bill restricts the district's use of funds obtained from such export fees to the enhancement of aquifer monitoring, modeling, and data collection and the enhancement of research to advance the scientific understanding of the district's groundwater resources.

H.B. 3185 amends current law relating to fees charged by the Rolling Plains Groundwater Conservation District and authorizes a fee.

### **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 8867.103, Special District Local Laws Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Authorizes the Rolling Plains Groundwater Conservation District (district) to assess fees under Section 36.122(e) (relating to a groundwater district imposing export fees or surcharges using certain methods) or 36.205(c) (relating to a groundwater district assessing and setting production fees), Water Code, in an annual amount not to exceed, notwithstanding any limitations on the amount of an export fee or surcharge authorized under Section 36.122(e), Water Code, 150 percent of the maximum commercial water rate charged by the City of Wichita Falls for groundwater exported from the district.

(c) Authorizes the district to use funds obtained from an export fee imposed under Subsection (a)(3) only to enhance aquifer monitoring, modeling, and data collection and research to advance the scientific understanding of the district's groundwater resources.

SECTION 2. Effective date: September 1, 2017.