

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 19, 2015**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3405** by Isaac (relating to the territory, jurisdiction, board composition, elections, and powers of the Barton Springs-Edwards Aquifer Conservation District, including its authority to regulate certain wells for the production of groundwater; imposing a cap on certain fees.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill amends the Special District Local Laws Code relating to the territory, jurisdiction, board composition, elections and powers of the Barton Springs-Edwards Aquifer. Under the provisions of the bill, a holder of a temporary or regular permit subject to a district order to reduce the amount of water production would be permitted to contest the reduction by requesting a hearing conducted by the State Office of Administrative Hearings (SOAH). The bill would require the district to contract with SOAH to conduct the hearings. In order for SOAH to uphold a district order to reduce the amount of water authorized to be produced under a permit, the bill would require the district to demonstrate by a preponderance of the evidence that the reduction is necessary.

Based on information provided by SOAH, this analysis assumes that all duties and responsibilities necessary to implement the provisions of the bill could be accomplished utilizing existing staff and resources.

**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:** 360 State Office of Administrative Hearings

**LBB Staff:** UP, SZ, SD, EK, ER