

1-1 By: Seliger S.B. No. 1268
 1-2 (In the Senate - Filed March 3, 2017; March 29, 2017, read
 1-3 first time and referred to Committee on Agriculture, Water & Rural
 1-4 Affairs; April 26, 2017, reported favorably by the following vote:
 1-5 Yeas 5, Nays 0; April 26, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the taxing power of the North Plains Groundwater
 1-18 Conservation District.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 2, Chapter 498, Acts of the 54th
 1-21 Legislature, Regular Session, 1955, is amended to read as follows:

1-22 Sec. 2. North Plains Groundwater Conservation District,
 1-23 hereinafter sometimes referred to as the District, shall have and
 1-24 exercise and is hereby vested with all of the rights, powers,
 1-25 privileges and duties conferred and imposed by the general laws of
 1-26 this State now enforced or hereafter enacted applicable to
 1-27 groundwater conservation districts created under authority of
 1-28 Article XVI, Section 59 of the Constitution of Texas, and Chapter
 1-29 36, Water Code, to:

1-30 (1) formulate, promulgate and enforce rules and
 1-31 regulations for the purpose of conserving, preserving, protecting
 1-32 and recharging the water of any groundwater reservoir or
 1-33 subdivision of a groundwater reservoir in the district;

1-34 (2) formulate, promulgate and enforce rules and
 1-35 regulations to prevent the waste, as defined in Chapter 36, Water
 1-36 Code, of the underground water of any groundwater reservoir or
 1-37 subdivision of a groundwater reservoir in the district;

1-38 (3) require permits for the drilling, equipping and
 1-39 completion of wells in any groundwater reservoir of a groundwater
 1-40 reservoir in the district and to issue such permits subject to such
 1-41 terms and provisions with reference to the drilling, equipping and
 1-42 completion thereof as may be necessary to prevent waste or
 1-43 contamination;

1-44 (4) provide for the spacing of wells producing from
 1-45 any groundwater reservoir or subdivision of a groundwater reservoir
 1-46 in the district and to regulate the production therefrom so as to
 1-47 minimize as far as practicable the drawdown of the water table or
 1-48 the reduction of the artesian pressure; provided, however, the
 1-49 owner of the land, his heirs, assigns and lessees, shall not be
 1-50 denied a permit to drill a well on his land and produce groundwater
 1-51 therefrom subject to rules and regulations promulgated hereunder to
 1-52 prevent waste or contamination;

1-53 (5) require records to be kept and reports to be made
 1-54 of the drilling, equipping, and completion of wells into the
 1-55 reservoirs or subdivisions of groundwater reservoirs and the taking
 1-56 and use of groundwater therefrom; to require accurate drillers'
 1-57 logs to be kept of such wells and a copy thereof and of any electric
 1-58 logs which may be made of such wells to be filed with the district;

1-59 (6) acquire lands for the erection of dams and for the
 1-60 purpose of draining lakes, draws, and depressions, and to construct
 1-61 dams, drain lakes, depressions, draws, and creeks and to install

2-1 pumps and other equipment necessary to recharge any groundwater
 2-2 reservoir or subdivision of a groundwater reservoir in the
 2-3 district;

2-4 (7) cause to be made by a registered professional
 2-5 engineer or qualified groundwater scientist surveys of the
 2-6 underground water of all groundwater reservoirs or subdivisions of
 2-7 groundwater reservoirs in the district and of the facilities for
 2-8 the development, production and use of such water, to determine the
 2-9 quantity thereof available for production and use and the
 2-10 improvements, developments, and recharges needed for such
 2-11 groundwater reservoirs or subdivisions of groundwater reservoirs
 2-12 in the district;

2-13 (8) develop comprehensive plans for the most efficient
 2-14 use of the water of the groundwater reservoirs or subdivisions of
 2-15 groundwater reservoirs in the district and for the control and
 2-16 prevention of waste of such groundwater, which plans shall specify
 2-17 in such detail as may be practicable the acts, procedure,
 2-18 performance and avoidance which are or may be necessary to effect
 2-19 such plans, including specifications therefor; to carry out
 2-20 research projects, develop information and determine limitations,
 2-21 if any, which should be made on the withdrawal of water from the
 2-22 groundwater reservoirs or subdivisions of groundwater reservoirs
 2-23 in the district; to collect and preserve information regarding the
 2-24 use of such water and the practicability of recharge of the
 2-25 groundwater reservoirs or subdivisions of groundwater reservoirs
 2-26 in the district; to publish such plans and information, bring them
 2-27 to the notice and attention of the users of such groundwater within
 2-28 the district, and to encourage their adoption and execution;

2-29 (9) enforce, by injunction, mandatory injunction or
 2-30 other appropriate remedy, in courts of competent jurisdiction,
 2-31 rules and regulations duly adopted and promulgated by such
 2-32 district; provided, that no rule or regulation shall be effective
 2-33 until a brief resume thereof has been published once a week for two
 2-34 (2) consecutive weeks in one or more newspapers to give circulation
 2-35 within the district, and such rule or regulation is to be effective
 2-36 not less than fourteen (14) days after the date of the first
 2-37 publication;

2-38 (10) incur all such indebtedness as may be necessary
 2-39 and requisite to the achievement of the purposes for which the
 2-40 district is created; to issue negotiable bonds and notes in the name
 2-41 of the district for any lawful purpose of the district and levy and
 2-42 collect such ad valorem taxes as may be necessary for the payment of
 2-43 the interest and the creation of a sinking fund for the payment of
 2-44 such bonds, the issuance of such bonds and the levy and collection
 2-45 of taxes to be in accordance with Chapter 36, Water Code; to levy
 2-46 and collect the ad valorem tax authorized at the election held
 2-47 January 21, 1955, for the maintenance of such district, its
 2-48 installations and activities; to hereafter order elections for the
 2-49 purpose of authorizing the levy and collection of taxes for the
 2-50 maintenance of the district, its installations and activities, such
 2-51 elections to be ordered and held as is provided for elections
 2-52 authorizing the issuance of bonds; provided that in all bond
 2-53 elections and tax elections all persons may vote who are resident
 2-54 voters of such district; [~~provided further that the maintenance and~~
 2-55 ~~operating taxes may never in any one year exceed Five Cents (5¢) on~~
 2-56 ~~the One Hundred Dollar (\$100) assessed valuation on property in the~~
 2-57 ~~district subject to taxation,] and provided, further, that the
 2-58 district may have its taxes assessed and collected by the
 2-59 respective county tax assessors and collectors as provided in
 2-60 Chapter 218, Page 348, Acts, Fifty-second Legislature, Regular
 2-61 Session, 1951.~~

2-62 SECTION 2. (a) The legal notice of the intention to
 2-63 introduce this Act, setting forth the general substance of this
 2-64 Act, has been published as provided by law, and the notice and a
 2-65 copy of this Act have been furnished to all persons, agencies,
 2-66 officials, or entities to which they are required to be furnished
 2-67 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 2-68 Government Code.

2-69 (b) The governor, one of the required recipients, has

3-1 submitted the notice and Act to the Texas Commission on
3-2 Environmental Quality.

3-3 (c) The Texas Commission on Environmental Quality has filed
3-4 its recommendations relating to this Act with the governor, the
3-5 lieutenant governor, and the speaker of the house of
3-6 representatives within the required time.

3-7 (d) All requirements of the constitution and laws of this
3-8 state and the rules and procedures of the legislature with respect
3-9 to the notice, introduction, and passage of this Act are fulfilled
3-10 and accomplished.

3-11 SECTION 3. This Act takes effect September 1, 2017.

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