1-1 1-2 1-3 1-4	By: Kolkhorst S.B. No. 1080 (In the Senate - Filed February 22, 2023; March 9, 2023, read first time and referred to Committee on Water, Agriculture & Rural Affairs; March 21, 2023, reported adversely, with favorable
1 <b>-</b> 5 1 <b>-</b> 6	Committee Substitute by the following vote: Yeas 9, Nays 0; March 21, 2023, sent to printer.)
1-7	COMMITTEE VOTE
1-8	Yea Nay Absent PNV
1-9	Perry X
1-10	Hancock X
1-11	Blanco X
1-12	Flores X
1-13	Gutierrez X
1-14	Johnson X
1-15	Kolkhorst X
1-16	Sparks X
1-17	Springer X
1-18	COMMITTEE SUBSTITUTE FOR S.B. No. 1080 By: Kolkhorst
1-19 1-20	A BILL TO BE ENTITLED AN ACT
1-21 1-22 1-23 1-24	relating to a mitigation program and fees for the Lost Pines Groundwater Conservation District. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Subchapter C, Chapter 8849, Special District
1-25 1-26	Local Laws Code, is amended by adding Section 8849.107 to read as follows:
1-27	Sec. 8849.107. MITIGATION PROGRAM. (a) The district by
1-28	rule may establish a mitigation program to address excessive
1-29	drawdown of an aquifer or subdivision of an aquifer in the district that results in:
1-30	
1-31	(1) the potentiometric surface being below a desired
1-32	<u>future condition; or</u>
1-33	(2) nonproductive wells.
1-34	(b) A mitigation program established under this section
1-35	<u>may:</u> (1) reduce grounductor production from the equifer or
1-36	(1) reduce groundwater production from the aquifer or
1-37	subdivision of an aquifer that is the subject of the program; or
1-38	(2) provide reimbursement for the cost of repairing or
1-39	replacing wells to access groundwater below the potentiometric
1-40	surface of the aquifer or subdivision of an aquifer that is the
1-41	subject of the program.
1-42	(c) The district may fund the mitigation program with
1-43	production fees, export fees, or any other revenue available to the
1-44	district.
1-45	SECTION 2. Section 8849.151, Special District Local Laws
1-46	Code, is amended to read as follows:
1-47	Sec. 8849.151. [ <del>PUMPING</del> ] FEES. (a) The district may
1-48	assess <u>production</u> [regulatory pumping] fees <u>under Section</u>
1-49	36.205(c), Water Code, and export fees under Section 36.122, Water
1-50	Code [for water produced in or exported from the district].
1-51	(b) The production [regulatory pumping] fees the district
1-52	assesses for water for crop or livestock production or other
1-53	agricultural uses may not exceed 20 percent of the rate applied to
1-54	water for municipal uses.
1-55	(c) Production [Regulatory pumping] fees [based on the
1-56	amount of water withdrawn from a well] may not exceed:
1-57	(1) \$1 for each acre-foot for water used to irrigate
1-58	agricultural crops; or
1-59	(2) 17 cents for each thousand gallons for water used
1-60	for any other purpose.
_ 00	Farboro

C.S.S.B. No. 1080

2-1	[(d) Combined regulatory pumping fees for production and
2-2	export of water may not exceed 17 cents for each thousand gallons
2-3	for water used.
2-4	SECTION 3. Mitigation payments and fees assessed before the
2-5	effective date of this Act are ratified, confirmed, and validated
2-6	in all respects.
~ -	

2-6 In all respects. 2-7 SECTION 4. This Act takes effect immediately if it receives 2-8 a vote of two-thirds of all the members elected to each house, as 2-9 provided by Section 39, Article III, Texas Constitution. If this 2-10 Act does not receive the vote necessary for immediate effect, this 2-11 Act takes effect September 1, 2023.

2-12

\* \* \* \* \*