

1-1 By: Kolkhorst S.B. No. 1080
1-2 (In the Senate - Filed February 22, 2023; March 9, 2023,
1-3 read first time and referred to Committee on Water, Agriculture &
1-4 Rural Affairs; March 21, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 March 21, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Perry</u>	X		
1-10	<u>Hancock</u>	X		
1-11	<u>Blanco</u>	X		
1-12	<u>Flores</u>	X		
1-13	<u>Gutierrez</u>	X		
1-14	<u>Johnson</u>	X		
1-15	<u>Kolkhorst</u>	X		
1-16	<u>Sparks</u>	X		
1-17	<u>Springer</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1080 By: Kolkhorst

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to a mitigation program and fees for the Lost Pines
1-22 Groundwater Conservation District.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter C, Chapter 8849, Special District
1-25 Local Laws Code, is amended by adding Section 8849.107 to read as
1-26 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
1-30 that results in:

1-31 (1) the potentiometric surface being below a desired
1-32 future condition; or

1-33 (2) nonproductive wells.

1-34 (b) A mitigation program established under this section
1-35 may:

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. ~~[PUMPING]~~ FEES. (a) The district may
1-48 assess production ~~[regulatory pumping]~~ fees under Section
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.

