

76(R) HB 1437 Enrolled version - Bill Text 1-1

AN ACT

1-2 relating to the powers of the Lower Colorado River Authority to
1-3 provide water services in Williamson County.
1-4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-5 SECTION 1. Section 27, Chapter 7, Acts of the 43rd
1-6 Legislature, 4th Called Session, 1934 (Article 8280-107, Vernon's
1-7 Texas Civil Statutes), is amended to read as follows:
1-8 Sec. 27. (a) Notwithstanding any other provision of this
1-9 Act, the district:
1-10 (1) may purchase, construct, acquire, own, operate,
1-11 repair, improve, or extend any facility necessary or convenient to
1-12 provide water services in Williamson County in cooperation with
1-13 another special district, a municipality, or another governmental
1-14 entity; [.]
1-15 (2) [(b) The district] may not provide water services
1-16 in the watershed of the Brazos River unless the district obtains in
1-17 writing the consent of the Brazos River Authority before the
1-18 services are provided; and[.]
1-19 (3) [(c) The district] may transfer surface water from
1-20 the district to a place in Williamson County that is outside the
1-21 watershed of the Colorado River only if the transfer is made to:
1-22 (A) a municipality that was [is:]
1-23 [(1)] a district water customer on May 20, 1997, [the
1-24 effective date of this section;] and
2-1 [(2)] located in the watersheds of both the Colorado
2-2 River and the Brazos River; or
2-3 (B) a person or entity that pays for the surface
2-4 water in an amount sufficient to pay both the district's applicable
2-5 water rate and an additional charge to pay the costs of mitigating
2-6 any adverse effects of the transfer of surface water to Williamson
2-7 County from the Colorado River watershed, and provided such
2-8 transfer results in no net loss of water to the Colorado River
2-9 watershed as determined by the district's board of directors.
2-10 Notwithstanding the amounts of surface water transferred by the
2-11 district to municipalities in accordance with Paragraph (A) of this
2-12 subdivision, the volume of surface water authorized for transfer by
2-13 the district in accordance with this paragraph shall not exceed
2-14 25,000 acre-feet per annum, it being the intent of the legislature
2-15 that the district shall not be the sole provider of surface water
2-16 to Williamson County.
2-17 (b) The district shall determine the amount of the
2-18 additional charge under Subsection (a)(3)(B) of this section. The
2-19 additional charge may not be less than 10 percent of the district's
2-20 applicable rate for surface water to be transferred. The district
2-21 shall deposit any money the district receives from the additional
2-22 charge, and may deposit any other money as the board of directors
2-23 determines, into a separate fund designated as the agricultural
2-24 water conservation fund. The district may use money from the
2-25 agricultural water conservation fund only for the development of
2-26 water resources or other water use strategies to replace or offset
2-27 the amount of surface water to be transferred to Williamson County,
3-1 including the development and implementation of methods, programs,
3-2 and strategies relating to groundwater resources, reuse,
3-3 conservation, and other opportunities to reduce the reliance on
3-4 surface water for agricultural irrigation, provided that the
3-5 methods, programs, and strategies take into consideration the
3-6 surface water and groundwater needs of the affected Colorado River
3-7 basin users. Prior to its determination of the use of money from
3-8 the agricultural water conservation fund, the district shall
3-9 consult with an advisory committee representing agricultural
3-10 irrigation interests that is appointed by the county judges of
3-11 Matagorda, Wharton, and Colorado counties. The board of directors'

3-12 determination of the additional charge is not subject to review or
 3-13 modification by any regulatory agency or authority. Water
 3-14 resources developed or conserved through the additional charge may
 3-15 be acquired from any source inside or outside the boundaries of the
 3-16 district and shall be used to benefit the water service areas of
 3-17 the district's irrigation operations.

3-18 SECTION 2. The importance of this legislation and the
 3-19 crowded condition of the calendars in both houses create an
 3-20 emergency and an imperative public necessity that the
 3-21 constitutional rule requiring bills to be read on three several
 3-22 days in each house be suspended, and this rule is hereby suspended,
 3-23 and that this Act take effect and be in force from and after its
 3-24 passage, and it is so enacted.

<hr/> President of the Senate	<hr/> Speaker of the House
I certify that H. B. No. 1437 was passed by the House on April 8, 1999, by a non-record vote; and that the House concurred in Senate amendments to H. B. No. 1437 on May 12, 1999, by a non-record vote.	

	<hr/> Chief Clerk of the House
I certify that H. B. No. 1437 was passed by the Senate, with amendments, on May 10, 1999, by the following vote: Yeas 30, Nays 0.	

	<hr/> Secretary of the Senate
APPROVED: _____ <div style="text-align: center;">Date</div> <hr/> <div style="text-align: center;">Governor</div>	