

AN ACT

relating to the powers of the Lower Colorado River Authority to provide water services in Williamson County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 27, Chapter 7, Acts of the 43rd Legislature, 4th Called Session, 1934 (Article 8280-107, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 27. (a) Notwithstanding any other provision of this Act, the district:

(1) may purchase, construct, acquire, own, operate, repair, improve, or extend any facility necessary or convenient to provide water services in Williamson County in cooperation with another special district, a municipality, or another governmental entity; ~~and~~

(2) ~~[(b) The district]~~ may not provide water services in the watershed of the Brazos River unless the district obtains in writing the consent of the Brazos River Authority before the services are provided; ~~and~~

(3) ~~[(c) The district]~~ may transfer surface water from the district to a place in Williamson County that is outside the watershed of the Colorado River only if the transfer is made to:

(A) a municipality that was ~~is~~

~~[(1)]~~ a district water customer on May 20, 1997, ~~[the effective date of this section];~~ and

~~[(2)]~~ located in the watersheds of both the Colorado River and the Brazos River; or

(B) a person or entity that pays for the surface water in an amount sufficient to pay both the district's applicable water rate and an additional charge to pay the costs of mitigating any adverse effects of the transfer of surface water to Williamson County from the Colorado River watershed, and provided such transfer results in no net loss of water to the Colorado River watershed as determined by the district's board of directors.

Notwithstanding the amounts of surface water transferred by the district to municipalities in accordance with Paragraph (A) of this subdivision, the volume of surface water authorized for transfer by the district in accordance with this paragraph shall not exceed 25,000 acre-feet per annum, it being the intent of the legislature that the district shall not be the sole provider of surface water to Williamson County.

(b) The district shall determine the amount of the additional charge under Subsection (a)(3)(B) of this section. The additional charge may not be less than 10 percent of the district's applicable rate for surface water to be transferred. The district shall deposit any money the district receives from the additional charge, and may deposit any other money as the board of directors determines, into a separate fund designated as the agricultural water conservation fund. The district may use money from the agricultural water conservation fund only for the development of water resources or other water use strategies to replace or offset the amount of surface water to be transferred to Williamson County, including the development and implementation of methods, programs, and strategies relating to groundwater resources, reuse, conservation, and other opportunities to reduce the reliance on surface water for agricultural irrigation, provided that the methods, programs, and strategies take into consideration the surface water and groundwater needs of the affected Colorado River basin users. Prior to its determination of the use of money from the agricultural water conservation fund, the district shall 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.

 President of the Senate

 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.

 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.

 Secretary of the Senate

APPROVED: _____

 Date

 Governor