

1 AN ACT

2 relating to the creation of the Northern Trinity Groundwater  
3 Conservation District.

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

5 SECTION 1. Subtitle H, Title 6, Special District Local Laws  
6 Code, is amended by adding Chapter 8820 to read as follows:

7 CHAPTER 8820. NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 8820.001. DEFINITIONS. In this chapter:

10 (1) "Board" means the district's board of directors.

11 (2) "Director" means a board member.

12 (3) "District" means the Northern Trinity Groundwater  
13 Conservation District.

14 Sec. 8820.002. NATURE OF DISTRICT. The district is a  
15 groundwater conservation district in Tarrant County created under  
16 Section 59, Article XVI, Texas Constitution.

17 Sec. 8820.003. DISTRICT TERRITORY. The boundaries of the  
18 district are coextensive with the boundaries of Tarrant County.

19 Sec. 8820.004. CONFIRMATION ELECTION NOT REQUIRED. The  
20 board is not required to hold an election to confirm the district's  
21 creation.

22 [Sections 8820.005-8820.050 reserved for expansion]

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 8820.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five directors.

2 (b) Directors serve staggered four-year terms.

3 Sec. 8820.052. APPOINTMENT OF DIRECTORS. (a) The Tarrant  
4 County Commissioners Court shall appoint one director from each of  
5 the four commissioners precincts in the county to represent the  
6 precinct in which the director resides.

7 (b) The county judge of Tarrant County shall appoint one  
8 director who resides in the district to represent the district at  
9 large.

10 Sec. 8820.053. INITIAL DIRECTORS. (a) Not later than the  
11 45th day after the effective date of this chapter:

12 (1) the Tarrant County Commissioners Court shall  
13 appoint one director from each of the four commissioners precincts  
14 in the county to represent the precinct in which the director  
15 resides; and

16 (2) the county judge of Tarrant County shall appoint  
17 one director who resides in the district to represent the district  
18 at large.

19 (b) The initial board may agree on which three directors  
20 serve four-year terms that expire at the end of the calendar year  
21 following the fourth anniversary of the effective date of this  
22 chapter, and which two directors serve two-year terms that expire  
23 at the end of the calendar year following the second anniversary of  
24 the effective date of this chapter. If the initial board cannot  
25 agree, the directors shall draw lots to determine which three  
26 directors serve the four-year terms and which two directors serve  
27 the two-year terms.

1        (c) This section expires September 1, 2014.

2        [Sections 8820.054-8820.100 reserved for expansion]

3                    SUBCHAPTER C. POWERS AND DUTIES

4        Sec. 8820.101. GROUNDWATER CONSERVATION DISTRICT POWERS  
5 AND DUTIES. The district has the powers and duties provided by the  
6 general law of this state, including Chapter 36, Water Code,  
7 applicable to groundwater conservation districts created under  
8 Section 59, Article XVI, Texas Constitution.

9        Sec. 8820.102. NO EMINENT DOMAIN POWER. The district may  
10 not exercise the power of eminent domain.

11        [Sections 8820.103-8820.150 reserved for expansion]

12                    SUBCHAPTER D. REGULATION OF OTHER DISTRICTS

13        Sec. 8820.151. REGULATION OF WELLS IN ANOTHER DISTRICT.  
14 Except as provided by this subchapter, the district may not  
15 regulate the drilling or equipping of, or the completion,  
16 operation, or production of, a well located in the district and in  
17 another conservation and reclamation district created under  
18 Section 59, Article XVI, Texas Constitution, and that on January 1,  
19 2007:

20                    (1) had statutory authority to require a person to  
21 obtain a permit before drilling, equipping, completing, altering,  
22 or operating a well in its boundaries; and

23                    (2) had adopted rules to implement that statutory  
24 authority.

25        Sec. 8820.152. FEES ON WELLS IN ANOTHER DISTRICT. The  
26 district may assess to the owner or operator of a well located in a  
27 conservation and reclamation district described by Section

1 8820.151 a fee based on the amount of groundwater produced from the  
2 well in the same manner and at the same rate as other wells in the  
3 district.

4 Sec. 8820.153. COORDINATION WITH OTHER DISTRICTS. (a) The  
5 district and any conservation and reclamation district described by  
6 Section 8820.151 shall meet to:

7 (1) coordinate the adoption of rules by each district  
8 to promote consistent planning and regulation; and

9 (2) develop procedures to ensure the expedited  
10 exchange of technical and regulatory information between the  
11 districts.

12 (b) The district and a conservation and reclamation  
13 district described by Section 8820.151 may enter into one or more  
14 agreements to implement this section, including an interlocal  
15 contract under Chapter 791, Government Code.

16 [Sections 8820.154-8820.200 reserved for expansion]

17 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

18 Sec. 8820.201. TAXES AND BONDS PROHIBITED. The district  
19 may not impose a tax or issue bonds.

20 SECTION 2. (a) The legal notice of the intention to  
21 introduce this Act, setting forth the general substance of this  
22 Act, has been published as provided by law, and the notice and a  
23 copy of this Act have been furnished to all persons, agencies,  
24 officials, or entities to which they are required to be furnished  
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
26 Government Code.

27 (b) The governor has submitted the notice and Act to the

1 Texas Commission on Environmental Quality.

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

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

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2007.

David Newburt

President of the Senate

Tom Cuddehe

Speaker of the House

I certify that H.B. No. 4028 was passed by the House on May 11, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4028 on May 25, 2007, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 4028 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Aatsy Saw  
Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7 PM O'CLOCK

Roger Williams  
Secretary of State