

85th Texas Legislature
Hill Country Alliance bill listing

GOOD for the Hill Country:

HB 1019: Keough MUD Reform

Requires MUD voters to have at least one-year residency before ability to vote for District creation or too be eligible to vote in an election authorizing a district' first issuance of bonds payable wholly or partly from ad valorem taxes

HB 1334: Isaac Rainwater Tax Rebate

Explicitly excludes all installed Rain Water Harvesting equipment from ad-valorem tax evaluation and appraisal.

HB 1423: Isaac Billboard Prohibition

Extends list of billboard prohibition to include Highway 150 and FM 1826 in Hays County

HB 1471: Murr Wildlife Management

Includes Predation Control as eligible as land for appraisal for ad valorem tax purposes as qualified open-space land on the basis of its use for wildlife management.

HB 1536: Farrar Green Stormwater Infrastructure

Defines, initiates research, and implementation of "green stormwater infrastructure" that reduces and treats stormwater at the source using vegetation, soils, and other elements and practices to restore some of the natural processes required to manage stormwater.

HB 2005: Larson Aquifer Storage and Recovery

Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery.

HB 2240: Lucio III Conservation Financing

Requires that financial assistance provided to water providers under this chapter shall include conditions that require the recipient to have a water conservation program in place that includes enforceable time-of-day limitations on outdoor watering by its customers.

HB 2943: Larson **Watershed Conservation Easements**

Authorizes the use of money in the state water pollution control revolving fund to purchase conservation easements for water quality.

HB 3417: King, Tracy O. **Exempt Well Protection**

GCDs must consider the effects of any new or altered permit on exempt wells.

HB 3166: Lucio III **Aquifer Sustainability by TWDB Rule**

"Modeled sustainable groundwater pumping" is the maximum amount of groundwater that the executive administrator determines may be produced in perpetuity from an aquifer on an annual basis using the best available science. and including "modeled sustainable groundwater pumping" in the list of hydrological conditions considered by the aquifer planning authority (GMA) in developing an aquifer's Desired Future Condition.

SB 627: Schwertner **Eminent Domain Reform**

Provides for more property owner power to negotiate eminent domain proceedings

SB 696: Perry **Surface Water Models Update**

Relating to a requirement that the TCEQ obtain or develop updated water availability models for certain river basins." BRAZOS RIVER BASIN, GUADALUPE RIVER BASIN, SAN ANTONIO RIVER BASIN, TRINITY RIVER BASIN by December 1, 2020.

SB 741: Kolkhorst **Eminent Domain Reform**

Allows just compensation for eminent domain takings to include profit percentages and/or royalties from pipeline's service.

SB 742: Kolkhorst **Eminent Domain Reform**

Protects property owners' rights by requiring the delineation of the provisions and requirements of eminent domain provisions on a property. If enforced, this requires a level of transparency that does not currently exist for these projects, and sets limits on abuses by the condemning entity.

SB 781: Zaffirini **Aquifer Protection: Waste Water Discharges**

Prohibits solid waste dumps on the recharge zone of any major aquifer that serves as a water supply for cities of over one million residents that are over 100 miles from the gulf.

SB 2026: Rodríguez **Green Stormwater**

Defines, initiate research, and implementation of "green stormwater infrastructure" that reduces and treats stormwater at the source using vegetation, soils, and other elements and practices to restore some of the natural processes required to manage stormwater.

BAD for the Hill Country:

HB 614: Leach Surface Water Rights

Tightens the procedure and time frame in which the TCEQ must respond to a permit application, and restricts SOAH Court remedies to dispute with party status restrictions.

HB 1135: Workman Impervious Cover

Limits local government ability to protect natural systems through zoning by prohibiting impervious cover requirements without compensation to the property owner.

HB 1523: Workman Travis Co. Special Utility District

Creates a Southwest Travis Co. Special Utility District that has the power of eminent domain, ability to take over existing water providers.

HB 2758: Geren Local Control: Seed Regulation

A political subdivision may not adopt an order, ordinance, or other measure that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed. <SB 1172 by Senator Perry>

HB 2854: Paddie White Tail Transport allowance

TPWD may not deny authorization to trap, transport, and transplant breeder white-tailed deer between certain sites.

HB 3677: Isaac Groundwater District Dissolution

HEART OF TEXAS AQUIFER DISTRICT in Blanco, Burnet, Comal, Hays, and Kendall Counties (excluding the EAA, the BSEACD, and Plum Creek Districts) by dissolving those districts. Directors will be appointed by each county's Commissioners Court. No provisions made for extensions of existing management, revenue, etc. No GCD directors or managers were consulted in this legislation.

HB 2855: Paddie White Tail Microchip

Instead of using a tattoo to identify a breeder deer under Subsection (c) or (d), a deer breeder may identify a deer by using a department-approved microchip implanted under the deer's skin. Would make it more difficult to identify captive-bred deer.

HB 3827: Biedermann Chronic Wasting Disease

The TPWD shall pay the costs associated with testing breeder deer for chronic wasting disease instead of the breeder.

HB 3832: Biedermann Chronic Wasting Testing Financing

Breeder deer affected by chronic wasting disease. The TPWD shall make a payment to a deer breeder in an amount not to exceed \$3,000 for each breeder deer that is destroyed because it has CWD.

HB 3833: Biedermann White Tail Ownership

Ownership of breeder deer. Converts breeder deer ownership to breeders and away from the state (and its ability to protect the common herd).

HB 3835: Biedermann Chronic Wasting Testing Financing

Breeder deer affected by chronic wasting disease. The TPWD shall make a payment to a deer breeder in an amount not to exceed \$3,000 for each breeder deer that is destroyed because it has Chronic Wasting Disease.

HB 3846: Murr San Saba River

Creates a San Saba River Water Rights Plan, locating, assessing, and assembling research on stream gains and losses, geology, flows, rainfall, and evaporation rates by irrigators in Menard County. Would cede water rights controls from the TCEQ to those irrigators and provide no representation from downstream rights holders.

HB 4045: Cortez Needmore Ranch carve out from Barton Springs Aquifer District

Provides that a district shall issue permits without notice or opportunity for hearing to the owner of a parcel of land that contains greater than 1000 contiguous surface acres and is included in the territory of two or more groundwater conservation districts (Needmore Ranch in Hays County for example). A permit issued pursuant to this section shall authorize the production of a volume of groundwater on a per acre basis equal to the greatest amount of groundwater authorized under permits previously issued by the district receiving the permit application by calculating the per acre-foot per acre volume authorized.

HB 4122: Kacal Needmore Ranch carve out from Barton Springs Aquifer District

Removes BSEACD from regulatory authority of Needmore Ranch and grants that authority to HTGCD for the purposes of regulatory evasion. Substitute ALERT: The substitute version removes the requirement that the petitioner obtain approval from the groundwater district accepting the additional land. Also, the bill adds a requirement that in order to transfer into a district, only 20% of the landowner's land needs to be located within the district. Twenty percent of Needmore Ranch is within HTGCD.

HB 4304: Workman Habitat Protection Areas and Parks

Pertains to Travis County only. Anti-conservation bill to limit parks/Habitat Protection Areas. Would require deleting all public parkland from the Balcones Canyonlands Preserve, contrary to the commitments made in Austin's and Travis County's habitat conservation plan and the conditions of their Endangered Species Act permit.

HB 4327: Workman Travis Co. Special Utility District

Creates a Southwest Travis Co. Special Utility District that has the power of eminent domain, ability to take over existing water providers

SB 225: Van Taylor **TCEQ Access to Redress**

Requires TCEQ to narrow the scope of issues that may be brought before the State Office of Administrative Hearing, and who may be party to those proceedings

SB 782: Campbell **Local Control: Trees**

No Municipality or County may protect trees within their jurisdiction

SB 786: Nichols **Eminent Domain**

Prohibits the use of eminent domain for the purposes of parks and or recreation

SB 1006: Nichols **Tax Assessment of Research Land**

Eliminates land that is used principally as an ecological laboratory by a public or private college or university from qualification for appraisal as qualified open-space land

SB 1172: Perry **Local Control: Seeds**

A political subdivision may not adopt an order, ordinance, or other measure that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed.

SB 1385: Campbell **Local Control: Impervious Cover**

Limits local government ability to protect natural systems through zoning -- by prohibiting impervious cover requirements without compensation to the property owner.

SB 2254: Hinojosa **Needmore Ranch GCD Creation**

Creates a Needmore Ranch mini GCD. Excludes Needmore Ranch from regulatory authority from the Barton Springs Edwards Aquifer Conservation District which would allow unfettered aquifer pumping.

SB 1814: Hinojosa **Needmore Ranch carve out from Barton Springs Aquifer District**

Removes BSEACD from regulatory authority of Needmore Ranch and grants that authority to HTGCD for the purposes of regulatory evasion.

WORTH WATCHING:

HB 31: Larson Groundwater Export Permits

“Relating to the regulation of groundwater” This bill's caption is very broad, and it has the potential to be the bucket into which all kinds of amendments may be placed. Although the bill incorporates some parts of TWCA "consensus" legislation on groundwater, it does not track the TWCA bill. GCDs may not limit export permits and all export permits must enjoy automatic renewal to time limits not less than the time limits of their production permits"

HB 922: Workman Travis County GCD

Creation of Southwest Travis County GCD. Changes are being made to this bill, however bill language does not yet satisfy the minimum requirements of a functional GCD (it has a very limited geography and is not adequately funded).

HB 2851: Workman Onion Creek Flood Control district

Relating to the creation of the Onion Creek Watershed Hays and Travis Counties Flood Control District No. 1; granting a limited power of eminent domain; providing authority to impose assessments and fees but not the ad-valorem authority that most flood control districts in the state require for adequate funding. Although it is supported by homeowners in the Onion Creek subdivision it is opposed by the Buda City Council.

Various MUD / WCID bills

Municipal Utility District (MUD) and Water Conservation and Improvement District (WCID) bills are usually filed as local legislation at the request of development interests in order to create an administrative and funding vehicle for growth outside of incorporated city limits. These Special Districts bills are often filed without consultation with local stakeholders and without consideration of the ability of local infrastructure systems to accommodate the new population's public safety, transportation, water and wastewater needs.

There are a number of local Special District bills in the legislature this session and many of them are seeing stiff opposition from county level constituencies who are concerned by the potential for negative impacts on their water supplies and property values.

See HCA's Special Districts issue paper [here](#).

HB 4273: Isaac N. Hays County MUD 2

Relating to the creation of the North Hays County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4278: Workman W. Travis Co. MUD 3

Relating to the powers and duties and election of the board of directors of the West Travis County Municipal Utility District No. 3. (Lake Pointe)

HB 4301: Isaac Driftwood Conservation District

Relating to the creation of the Driftwood Conservation District (MUD and Water Utility); granting a limited power of eminent domain; providing authority to issue bonds, impose assessments, fees, condemnation, roads, and ad valorem taxes. Also, allows for treated stormwater ASR, and would feature a new golf course.

HB 4309: Isaac Driftwood MUD 1

Mandola Tract MUD with usual powers including a water conservation aspect.

SB 914: Campbell Kendall Co. WCID 3

Relating to the creation of the Kendall County Water Control and Improvement District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. 1,012 acres off Upper Balcones Road, where Bakke Development Corp. plans commercial sites and up to 2,450 new homes known as Rocking B Ranch.

SB 2273: Campbell Kendall Co. WCID 4

Relating to the creation of the Kendall County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. <See HB 4323: Biedermann> 1,142 acres off Texas 46. 400 to 750 residences, each reported to cost between \$500,000 and \$2 million.