

RESOLUTION NO. 20213

A RESOLUTION OF THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS SUPPORTING THE ENACTMENT OF PROPOSED LEGISLATION WHICH WOULD CREATE A COUNTY GROUNDWATER CONSERVATION DISTRICT, SUBJECT TO CONFIRMATION BY THE VOTERS, AS A TEMPLATE FOR GROUNDWATER PROTECTION IN COUNTIES WITHOUT A DISTRICT, AND SUPPORTING COMPARABLE PROTECTION FOR THIS COUNTY.

WHEREAS, in a county without a groundwater conservation district, the rule of capture permits essentially unlimited pumping from the formations that supply household and livestock wells, and a high-impact facility's well field may withdraw a million gallons or more per day with no permit and no local say; and

WHEREAS, a groundwater conservation district under Chapter 36, Water Code, is the State's preferred method of groundwater management and the only tool Texas law provides for local protection of wells, and Proposed Bill 12 creates such a district on the modern statutory pattern: no existence without voter approval at a confirmation election, automatic dissolution if unconfirmed, five locally elected directors, express preservation of the domestic and livestock well exemptions of Section 36.117, Water Code, no ad valorem tax, no eminent domain, and capped production fees on large pumpers only; and

WHEREAS, the notice, delivery, and agency-review prerequisites for a local bill of this kind must be completed on the statutory timeline in the fall of 2026, and the Commissioners Court urges that this calendar be met; and

WHEREAS, the Commissioners Court finds that local, voter-controlled groundwater protection on this model — whether through this district, a multi-county regional district, or an adaptation for this County — is in the best interest of the residents of this County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS, THAT:

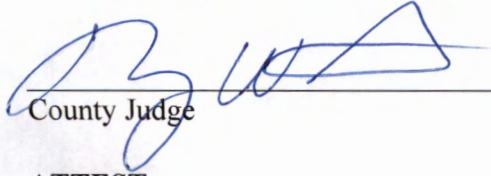
1. The Commissioners Court supports and endorses the enactment of Proposed Bill 12 by the 90th Texas Legislature, and supports the extension of comparable voter-confirmed groundwater district protection to this County.
2. The Court respectfully requests the County's State Senator, the Honorable Angela Paxton, and the County's State Representative, the Honorable Brent Money to author, sponsor, co-sponsor, and support Proposed Bill 12, and to work toward its passage.
3. The Court directs that certified copies of this Resolution be transmitted to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the County's state legislative delegation, the standing committees of the Senate and House with primary jurisdiction over the bill, and the Texas Association of Counties.

FILED FOR RECORD
at <u>2:00</u> o'clock <u>p</u> M
JUL 28 2026
BECKY LANDRUM County Clerk, Hunt County, Tex. by 

4. This Resolution takes effect immediately upon its adoption.

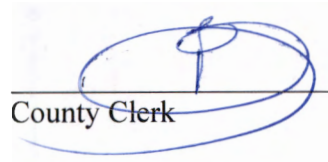
PASSED, APPROVED, AND ADOPTED by the Commissioners Court of Hunt County, Texas, at a duly posted meeting at which a quorum was present and voting, on this the 28th day of

July, 2026.



County Judge

ATTEST:



County Clerk

By: _____ H.B./S.B. No. _____
(90th Legislature, Regular Session)

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Hunt County Groundwater Conservation District; providing authority to impose fees.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 88__ to read as follows:

CHAPTER 88__ . HUNT COUNTY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 88__.0001. DEFINITIONS. In this chapter: (1) "Board" means the district's board of directors. (2) "Director" means a board member. (3) "District" means the Hunt County Groundwater Conservation District.

Sec. 88__.0002. NATURE OF DISTRICT. The district is a groundwater conservation district created under Section 59, Article XVI, Texas Constitution.

Sec. 88__.0003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 36.017, Water Code.

Sec. 88__.0004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit. (b) All land and other property in the district's territory will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution. (c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution, including the conservation, preservation, protection, and recharge of groundwater in the district's territory.

Sec. 88__.0005. INITIAL DISTRICT TERRITORY. The initial boundaries of the district are coextensive with the boundaries of Hunt County, Texas.

Sec. 88__.0006. APPLICABILITY OF OTHER GROUNDWATER CONSERVATION DISTRICT LAW. Except as otherwise provided by this chapter, Chapter 36, Water Code, applies to the district.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 88__.0051. DIRECTORS; TERMS. (a) The district is governed by a board of five directors. (b) One director is elected from each county commissioners precinct of Hunt County by the voters of that precinct, and one director is elected at large by the voters of the district. (c) Directors serve

staggered four-year terms. A director must reside in the district and, for a precinct director, in the precinct from which elected.

Sec. 88__0052. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on the uniform election date in November of each even-numbered year.

Sec. 88__0053. TEMPORARY DIRECTORS. (a) The temporary board consists of: (1) _____; (2) _____; (3) _____; (4) _____; and (5) _____. (b) If a temporary director fails to qualify, or a vacancy occurs, the remaining temporary directors shall appoint a person to fill the vacancy. (c) Temporary directors serve until permanent directors are elected under Section 88__0003 or the term of the temporary directors expires under Section 88__0151.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 88__0101. GROUNDWATER CONSERVATION DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapter 36, Water Code, applicable to groundwater conservation districts created under Section 59, Article XVI, Texas Constitution.

Sec. 88__0102. EXEMPTIONS PRESERVED. The exemptions provided by Section 36.117, Water Code, including for wells used solely for domestic use or for providing water for livestock or poultry, apply to the district.

Sec. 88__0103. LIMITATION ON EMINENT DOMAIN. The district may not exercise the power of eminent domain.

Sec. 88__0104. FEES. (a) The board by rule may impose fees as authorized by Chapter 36, Water Code, including production fees on wells not exempt under Section 36.117, Water Code. (b) A production fee may not exceed: (1) \$[1] per acre-foot for water used for agricultural purposes; or (2) \$[] per acre-foot for water used for any other purpose. (c) The district may not impose an ad valorem tax.

SUBCHAPTER D. DISSOLUTION IF DISTRICT NOT CONFIRMED

Sec. 88__0151. DISSOLUTION. (a) If the creation of the district is not confirmed at a confirmation election held before September 1, 2031: (1) the district is dissolved on that date; and (2) this chapter expires on that date. (b) Any assets of the dissolved district shall be transferred to Hunt County, and any debts shall be paid to the extent of those assets.

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code. (b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality. (c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the

speaker of the house of representatives within the required time. (d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.