

2021 Regular Session

HOUSE BILL NO. 590

BY REPRESENTATIVE DAVIS

CONSERVATION: Authorizes the board of the Capital Area Groundwater Conservation District to assess fees for capital expenditures and nonpayment

1 AN ACT

2 To amend and reenact R.S. 38:3076(A)(14), relative to the Capital Area Groundwater  
3 Conservation District; to provide for the powers of the board; to provide for the  
4 assessment of fees for capitol expenditures; to provide for the assessment of late fees  
5 for non-payment; and to provide for related matters.

6 Notice of intention to introduce this Act has been published  
7 as provided by Article III, Section 13 of the Constitution of  
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 38:3076(A)(14) is hereby amended and reenacted to read as follows:

11 §3076. Powers of the board

12 A. The board shall work with the commissioner of conservation in his  
13 responsibilities to do all things necessary to prevent waste of groundwater resources,  
14 and to prevent or alleviate damaging or potentially damaging subsidence of the land  
15 surface caused by withdrawal of groundwater within the district. In conjunction with  
16 the commissioner of conservation, the board shall have authority to do, as required,  
17 the following:

18 \* \* \*

19 (14)(a) To assess against all users within the district a charge based upon the  
20 annual rate of use of each user sufficient to meet costs and expenses of operation.

1 Such charges must be uniform as to all users, being assessed on the basis of units of  
2 water used, whether a cubic, acre-foot, or other unit be used, and without distinctions  
3 or graduations as to total amounts of water produced by individual users or classes  
4 of users, except that no charge shall be made against the quantity of water pumped  
5 from the Mississippi River alluvial aquifer. Further, such charges shall be assessed  
6 and income therefrom used only to defray the costs and expenses of operation of the  
7 district assessing them.

8 (b) Fees for capital expenditures may be assessed to users based on either  
9 annual flows or specific costs for wells to individual users based on capital, debt  
10 service, and operation and maintenance costs. Costs may include specific systems  
11 and technologies to allow for remote monitoring of flows, water levels, water  
12 quality, and other parameters as deemed necessary by the board to conserve and  
13 protect groundwater resources and may include, but are not limited to, monitoring  
14 wells, scavenger wells, reclaimed water systems, pressure differential systems, water  
15 treatment systems, and scavenger wells and other subsurface systems related to the  
16 protection of the aquifers.

17 (c) Late fees for non-payment of monthly or quarterly invoices may also be  
18 assessed.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 590 Engrossed 2021 Regular Session Davis

**Abstract:** Grants the Capital Area Groundwater Conservation District board of commissioners the authority to assess fees for capital expenditures.

Present law establishes a Capital Area Groundwater Conservation District and its board of commissioners. Present law grants the board of commissioners the authority to charge users within the district based on the annual rate of use and assessed on the basis of units of water used. Proposed law retains present law.

Proposed law grants the board additional authority to assess fees against all users within the district for capital expenditures, and allows the board to assess such fees based on annual flows or specific costs for wells to individual users based on capital, debt service, and

operation and maintenance costs. Further provides what constitutes costs and other parameters deemed necessary to conserve and protect groundwater resources.

Proposed law grants the board additional authority to assess late fees for failure to pay monthly or quarterly invoices.

(Amends R.S. 38:3076(A)(14))