

**ACT No. 330**

2021 Regular Session

HOUSE BILL NO. 590

BY REPRESENTATIVE DAVIS

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 costs for capital expenditures; to provide for the assessment of  
5 application fees and late fees 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) To assess the following:

20 (a) A charge against all users within the district ~~a charge~~ based upon the  
21 annual rate of use of each user sufficient to meet costs and expenses of operation.

22 Such charges must be uniform as to all users, being assessed on the basis of units of

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

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

16 (c) Late fees for non-payment of monthly or quarterly invoices not to exceed  
 17 twenty-five dollars per month or one and one-half percent per day of the balance due,  
 18 whichever is greater, calculated beginning thirty days after the due date.

19 (d) Application fees not to exceed two thousand dollars for each application  
 20 submitted for a new or upgraded well.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_