

BILL ANALYSIS

Senate Research Center
77R10694 SGA-F

H.B. 2855
By: Kuempel (Wentworth)
Natural Resources
5/8/2001
Engrossed

DIGEST AND PURPOSE

The 76th Texas Legislature created the Southeast Trinity Groundwater Conservation District (district) to protect the quality and use of the Trinity Aquifer, but only granted the district limited authority. The district was required to return to the legislature during the 77th session to continue its existence and receive powers, duties and funding authority. H.B. 2855 provides for the ratification of the creation of, and the administration, powers, duties, operation, taxing authority, and financing of, the Southeast Trinity Groundwater Conservation District.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of directors of the Southwest Trinity Groundwater Conservation District in SECTION 5 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. RATIFICATION OF CREATION. Sets forth provisions regarding the creation of the Southwest Trinity Groundwater Conservation District (district).

SECTION 2. DEFINITIONS. Defines “board,” “commission,” and “district.”

SECTION 3. BOUNDARIES. Sets forth provisions regarding the boundaries of the district.

SECTION 4. FINDINGS RELATIVE TO BOUNDARIES. Sets forth provisions regarding findings relative to the boundaries of the district.

SECTION 5. GENERAL POWERS. Sets forth provisions regarding the general powers of the district.

SECTION 6. BOARD OF DIRECTORS. Sets forth provisions regarding the board of directors of the district.

SECTION 7. METHOD OF ELECTING DIRECTORS. Sets forth provisions regarding the election of district directors.

SECTION 8. CONFIRMATION ELECTION AND ELECTION OF INITIAL DIRECTORS. Sets forth provisions regarding the confirmation election and election of initial directors of the district.

SECTION 9. ELECTION OF REGULAR DIRECTORS. Sets forth provisions regarding the election of regular directors.

SECTION 10. COORDINATION. Authorizes the district to coordinate activities with other groundwater districts.

SECTION 11. MODIFICATION OF DISTRICT. Authorizes the district to be modified only as prescribed by Chapter 36J, Water Code, or by subsequent acts of the Texas Legislature.

SECTION 12. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Sets forth provisions regarding findings related to procedural requirements of the district.

SECTION 13. EFFECTIVE DATE; EXPIRATION DATE. (a) Effective date: September 1, 2001.

(b) Provides that if the district is not confirmed by the fourth anniversary of the effective date of this Act, the district is dissolved on that date, except that all debts incurred are required to be paid and the organization of the district is required to be maintained until all debts are paid.