

## **BILL ANALYSIS**

Senate Research Center  
78R11344 SGA-D

H.B. 3567  
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Natural Resources  
5/21/2003  
Engrossed

### **DIGEST AND PURPOSE**

The Coastal Bend Groundwater Conservation District was created and confirmed by the voters of Wharton County in 2001 to manage the groundwater resources of Wharton County. Neighbors in adjoining counties have approached the Coastal Bend Groundwater Conservation District about adding territory to the Coastal Bend District. The board members of Coastal Bend are elected along the county precincts lines in Wharton County. If territory is added, the board wants to have a mechanism to offer equal representation for the newly added area. H.B. 3567 provides the district with a more equitable method of electing directors.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 1294, Acts of the 77th Legislature, Regular Session, 2001, by adding Sections 7A and 9A, as follows:

**Sec. 7A. ADDITION OF DIRECTORS IF DISTRICT ANNEXES TERRITORY.**

Authorizes the board of directors of the district (board) by resolution to add one or more directors as provided by Section 36.051 (Board of Directors), Water Code, if the district annexes territory, notwithstanding Section 7(a) of this Act.

**Sec. 9A. METHOD OF ELECTING DIRECTORS IF DISTRICT ANNEXES**

**TERRITORY.** (a) Requires the board, if the district annexes territory, notwithstanding Sections 9 and 11 of this Act, by resolution to adopt an appropriate and equitable method for electing directors for the district that supersedes the method of electing directors under Sections 9 and 11 of this Act; drawing voting district boundaries if required by the method adopted; and maintaining staggered terms for the directors.

(b) Authorizes the board, if the board votes to add a director to represent annexed territory under Section 7A of this Act, at an election to ratify annexation under Section 36.328 (Election to Ratify Annexation of Land), Water Code, to include on the ballot the names of candidates for director to represent the annexed territory on the board. Provides that a director elected under this subsection serves until an election is held under Subsection (c) of this section.

(c) Provides that a method of electing directors adopted under Subsection (a) of this section applies beginning with the election held on the first date provided by Section 11 of this Act that occurs after the date the annexation of the territory is final and that allows sufficient time to comply with any requirements of law.

(d) Specifies that the method of electing directors provided by Sections 9 and 11 of

this Act applies until an election is held under Subsection (c) of this section.

(e) Requires a person to be a registered voter of the district and meet the requirements stated in a resolution adopted under Subsection (a) of this section, in order to be eligible to be a candidate for or to serve as a director of the district under this section.

(f) Authorizes the board to revise voting districts as necessary or appropriate. Requires the board, if the board adopts a method for electing directors based on voting districts, to revise each voting district after each federal decennial census to reflect population changes. Provides that, when the boundaries of the districts are redrawn, a director in office on the effective date of the change, or elected or appointed before the effective date of the change to a term of office beginning on or after the effective date of the change, shall serve the term or the remainder of the term in the district to which elected or appointed even though the change in boundaries places the person's residence outside the district for which the person was elected or appointed.

SECTION 2. Effective date: September 1, 2003.