

BILL ANALYSIS

Senate Research Center
78R5352 RCJ-F

S.B. 776
By: Averitt
Natural Resources
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As Filed

DIGEST AND PURPOSE

Current law specifically prohibits a director of a groundwater conservation district from serving on the governing body of another political subdivision. However, in order to assist smaller districts in finding qualified board members, language was included stating that the prohibition does not apply to districts with a population of less than 50,000. Based on this exemption, many small districts have board members who also serve on the governing body of other political subdivisions. As proposed, S.B. 776 proposes to amend Section 36.051, Water Code, to clearly state that the common law doctrine of incompatibility does not apply to districts with a population of less than 50,000.

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 Section 36.051, Water Code, by adding Subsection (d), as follows:

(d) Provides that in a district with a population of less than 50,000, the common law doctrine of incompatibility does not disqualify an officer or employee of a political subdivision from serving as a director of the district or a director of the district from serving as a director, officer, or employee of a political subdivision.

SECTION 2. Effective date: upon passage or September 1, 2003.