

BILL ANALYSIS

Senate Research Center
80R2284 SGA-D

H.B. 556
By: Hilderbran (Fraser)
Natural Resources
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Hickory County Underground Water Conservation District No. 1 (district) was created by petition pursuant to the Water Code with boundaries designated by the Texas Water Development Board to conform to the management area of the Hickory aquifer, rather than along county lines. Areas of Concho, Menard, Kimble, San Saba, Mason, and McCulloch counties are included in the district.

In order to create five voting precincts with equal voter populations, precincts three and four of the district each include parts of three counties. Electronic voting stations that meet the requirements for accessibility of 42 U.S.C. Section 15481 (a)(3) are not programmable for precincts which cross county lines, thus making it necessary for the district to program three separate ballots within each of the two precincts.

Until now the district has been able to establish a single polling location in each precinct, but the necessity for separate programming and for contracting with three separate political subdivisions for use of their voting stations within each precinct makes it mandatory for the district to establish two additional polling locations in each precinct. There are no public buildings of any kind within district boundaries in two counties in each precinct. If the relevant counties do not have a sufficient number of voting stations to accommodate the district outside of their usual county polling locations, the district will have to purchase its own voting stations. In the past decade there have been fewer than 60 votes cast in elections for directors in precincts three and four.

H.B. 556 exempts the district from the voting station requirements of Section 61.012, Election Code.

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 Subtitle H, Title 6, Special District Local Laws Code, by adding Chapter 8818, as follows:

CHAPTER 8818. HICKORY UNDERGROUND WATER CONSERVATION DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8818.001. DEFINITION. Defines "district."

Sec. 8818.002. ELECTION PROCEDURES. (a) Provides that, notwithstanding Section 61.012 (Access by Persons with Disabilities), Election Code, for an election held by the Hickory Underground Water Conservation District (district), other than an election that is held jointly with another election in which a federal office appears on the ballot, the use of a voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) is not required.

(b) Requires the board of directors of the district to notify the secretary of state if the district does not provide at least one voting station at each polling place used in the election that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3).

SECTION 2. Effective date: upon passage or September 1, 2007.