

BILL ANALYSIS

Senate Research Center
82R20732 SGA-D

C.S.H.B. 2794
By: Hunter (Hegar)
Natural Resources
5/17/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Constitution authorizes the creation of groundwater conservation districts to manage and conserve groundwater, and many political subdivisions in Calhoun County are of the opinion that there is a public necessity for such a district for the proper management of groundwater in the county. H.B. 2794 provides for the creation of the Calhoun County Groundwater Conservation District, the initial boundaries of which are to be coextensive with the boundaries of the county.

C.S.H.B. 2794 amends current law relating to the creation of the Calhoun County Groundwater Conservation District.

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 8860, as follows:

CHAPTER 8860. CALHOUN COUNTY GROUNDWATER CONSERVATION DISTRICT

Sets forth standard language for the creation of the Calhoun County Groundwater Conservation District (district) in Calhoun County. Sets forth standards, procedures, requirements, and criteria for:

General provisions, including the nature of the district, the requirement to confirm the creation of the district by election, and the initial district territory (Sections 8860.001-8860.020);

Appointment and powers of initial directors of the district, and requirements related to the confirmation election for the creation of the district (Sections 8860.021-8860.050);

Size, composition, appointment, eligibility, compensation, and reimbursement of expenses for the board of directors (Sections 8860.051-8860.100);

Powers and duties of the district (Sections 8860.101-8860.150); and

General financial provisions, prohibits the district from imposing a tax, and authorizes the district to impose fees (Sections 8860.151-8860.152).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: September 1, 2011.