

BILL ANALYSIS

Senate Research Center
83R22546 SGA-F

H.B. 2640
By: Workman (Fraser)
Administration
5/20/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that certain land located in Travis County would benefit from the creation of a groundwater conservation district to manage and conserve groundwater.

H.B. 2640 amends current law relating to the creation of the Western Travis County Groundwater Conservation District, provides general law authority to issue bonds and exercise the power of eminent domain, and provides general law authority to impose assessments, fees, surcharges, or taxes.

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 8871, as follows:

CHAPTER 8871. WESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

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

Creation, purpose, and approval of the district (Sections 8871.001-8871.005);

Temporary provisions of the district, including the appointment of temporary directors (Sections 8871.021-8871.026);

Size, composition, election, and terms of the board of directors (Sections 8871.051-8871.052); and

Powers and duties of the district (Section 8871.101).

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. 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 4. (a) Provides that any eminent domain powers granted by general law that apply to the Western Travis County Groundwater Conservation District, as created by this Act, take effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8871, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8871.102, as follows:

Sec. 8871.102. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c) (relating to authorizing the legislature to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I, Texas Constitution.

SECTION 5. Effective date: September 1, 2013.