

BILL ANALYSIS

Senate Research Center
76R11341 WP-F

S.B. 1850
By: Armbrister
Natural Resources
4/14/1999
As Filed

DIGEST

Currently, there are no regulations limiting the amount of water pumped from the Gulf Coast aquifer (aquifer) located under Victoria County. Recent studies have indicated that Victoria, which gets all of its water from the aquifer, is depleting the aquifer so rapidly that the city itself will start sinking in 20 years if the aquifer is not recharged. To protect current and future economic growth, and to protect municipal, agricultural, and industrial water users, the city and county of Victoria have requested the formation of a groundwater conservation district. S.B. 1850 would establish the creation, administration, powers, duties, operation, and financing of the Victoria County Groundwater Conservation District.

PURPOSE

As proposed, S.B. 1850 establishes the creation, administration, powers, duties, operation, and financing of Victoria County Groundwater Conservation District.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Creates the Victoria County Groundwater Conservation District (district) in Victoria County, subject to approval at a confirmation election. Establishes that the district is created under and is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. Provides that the district is a governmental agency and a body politic and corporate.

SECTION 2. DEFINITIONS. Defines "district" and "board."

SECTION 3. FINDING OF BENEFIT. Sets forth findings of benefit for all of the land and property within the district's boundaries.

SECTION 4. BOUNDARIES. Establishes the boundaries of the district that are coextensive with the boundaries of Victoria County.

SECTION 5. POWERS. Sets forth certain rights, powers, privileges, authority, functions, and duties of the district.

SECTION 6. TEMPORARY DIRECTORS. Sets forth the individuals composing the temporary board of directors. Establishes the method for appointing a temporary director, if a current temporary member has not qualified.

SECTION 7. CONFIRMATION ELECTION. Requires the temporary board of directors to call and hold an election to confirm establishment of the district. Provides that Section 41.001(a), Election Code, does not apply to a confirmation election held as provided by this section. Sets forth conditions regarding an election for the creation of the district.

SECTION 8. INITIAL DIRECTORS. Requires the temporary directors to become the initial directors of the district, if creation of the district is confirmed. Sets forth conditions regarding the temporary directors serving as initial directors.

SECTION 9. BOARD OF DIRECTORS. Provides that the district is governed by a board of seven directors. Requires the board to select from its members a chair, vice chair, and secretary. Establishes

qualifications and the process for filling a vacancy or upon expiration of a director's term in the office of director. Sets forth conditions of length of service for temporary, initial, and permanent directors.

SECTION 10. LIMITATION ON TAXATION. Prohibits the board of directors from imposing an ad valorem tax that exceeds the rate of two cents on each \$100 valuation of taxable property in the district.

SECTION 11. FINDINGS RELATING TO PROCEDURAL REQUIREMENTS. Sets forth findings related to procedural requirements.

SECTION 12. EMERGENCY. Emergency clause.
Effective date: upon passage.