

BILL ANALYSIS

Senate Research Center

S.B. 1911
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Natural Resources
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As Filed

DIGEST

Since 1951, the Texas Legislature has passed legislation creating over forty groundwater conservation districts. During the 76th Legislative session, bills have been filed seeking to create more than 20 new groundwater conservation districts, many of them single-county districts. Senate Bill 1 from the 75th Legislature established a framework for water planning with an emphasis on local input and regional planning. Work is underway on the regional water plans that will comprise the next State Water Plan. Concerns have been raised that the myriad groundwater districts proposed legislatively this session are based on political instead of hydrologic boundaries and, therefore, may not be able to manage the underlying aquifers consistent with the powers and duties of Chapter 36, Water Code (Groundwater Conservation Districts) or with the long-range water management planning envisioned by Senate Bill 1. S.B. 1911 provides a template for the creation, administration, powers, duties, operation, and financing of groundwater districts that have been legislatively proposed this session, and establishes that they may not adopt district management plans until after September 1, 2001.

PURPOSE

As proposed, S.B. 1911 sets forth provisions regarding the creation, administration, powers, duties, operation, and financing of certain groundwater conservation districts.

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 certain groundwater conservation districts.

SECTION 2. BOUNDARIES. Sets forth the legal boundaries of certain groundwater conservation districts.

SECTION 3. DEFINITION. Defines “district.”

SECTION 4. FINDING OF BENEFIT. Sets forth a statement of finding of benefit.

SECTION 5. AUTHORITY OF TEMPORARY DIRECTORS. Sets forth the authority of the temporary directors of a groundwater conservation district created under SECTION 1 of this Act (district).

SECTION 6. MORATORIUM ON ADOPTION OF LONG-TERM MANAGEMENT PLANS. Sets forth provisions regarding a moratorium on the adoption of long-term management plans.

SECTION 7. INITIAL BOARD OF DIRECTORS. Prohibits the initial directors from being elected until after September 1, 2001.

SECTION 8. TEMPORARY DIRECTORS. Sets forth provisions regarding the temporary directors of a district.

SECTION 9. ORGANIZATIONAL MEETING. Sets forth provisions regarding an organizational meeting.

SECTION 10. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. Sets forth provisions regarding confirmation and initial directors election.

SECTION 11. ELECTION OF PERMANENT DIRECTORS. Sets forth provisions regarding the election of permanent directors.

SECTION 12. FEES. Authorizes the temporary, initial, or permanent directors of the district, by rule, to impose certain reasonable fees. Sets forth provisions regarding fees charged by the district.

SECTION 13. ELECTIONS. Prohibits the temporary directors of a district, prior to September 1, 2000, from holding an election for the imposition of a tax.

SECTION 14. MODIFICATION OF THE DISTRICT. Sets forth provisions for modification of a district.

SECTION 15. STATUTORY INTERPRETATION. Provides that, except as otherwise provided by this Act and Chapter 36, Water Code, this Act controls.

SECTION 16. RATIFICATION OF DISTRICT CREATION. Sets forth provisions regarding ratification of the creation of a district.

SECTION 17. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Sets forth findings related to procedural requirements.

SECTION 18. EFFECTIVE DATE. Effective date: September 1, 1999.

SECTION 19. EMERGENCY. Emergency clause.