

BILL ANALYSIS

Senate Research Center

H.B. 2005
By: Corte (Wentworth)
Natural Resources
5/10/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Texas faces a difficult challenge to develop water policies that serve both state and regional interests. The Texas Constitution authorizes the creation of groundwater conservation districts to plan, develop, and regulate the use of water. In 1990, the Texas Natural Resource Conservation Commission designated the Trinity Aquifer, including areas in Bexar County, as a Priority Groundwater Management Area to address the critical or future critical water shortage in the area. H.B. 2005 creates the Trinity Glen Rose Groundwater Conservation District, subject to voter approval at a confirmation election, in Bexar County.

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. CREATION. Creates the Trinity Glen Rose Groundwater Conservation District (district), subject to approval at a confirmation election under Section 9 of this Act, and provides that the district is a governmental agency and a body politic and corporate. Provides that the district is created under and is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. Provides that the purpose of the district is to develop and implement regulatory, conservation, and recharge programs that preserve and protect the underground water resources located within the district.

SECTION 2. DEFINITIONS. Defines “board,” “district,” “commission,” and “public water supply well.”

SECTION 3. BOUNDARY. Sets forth the boundaries of the district.

SECTION 4. FINDING OF BENEFIT. Provides findings of benefit.

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

SECTION 6. METHOD OF ELECTING DIRECTORS: SINGLE-MEMBER DISTRICTS. Sets forth guidelines regarding the election of directors of the district.

SECTION 7. BOARD OF DIRECTORS. Sets forth guidelines regarding the board of directors (board) of this district.

SECTION 8. TEMPORARY DIRECTORS. Sets forth guidelines regarding temporary directors.

SECTION 9. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. Sets forth guidelines regarding the confirmation and initial director's election.

SECTION 10. INITIAL DIRECTORS. Requires the initial directors, if creation of the district is confirmed under Section 9 of this Act, to draw lots to determine which two initial directors serve two-year terms and which three initial directors serve four-year terms.

SECTION 11. SERVICE OF DIRECTORS. Sets forth guidelines regarding the service of directors.

SECTION 12. ELECTION OF PERMANENT DIRECTORS. Sets forth guidelines regarding the election of permanent directors.

SECTION 13. DISTRICT FINANCES. Sets forth guidelines regarding district finances.

SECTION 14. ADDITIONAL REGULATORY AUTHORITY. Sets forth guidelines regarding the district's additional regulatory authority.

SECTION 15. PROHIBITED ACTS. Prohibits the district from performing certain functions.

SECTION 16. PUBLIC WATER SUPPLY WELLS. Sets forth guidelines regarding public water supply wells in the district.

SECTION 17. EXEMPTION FOR MUNICIPAL SUPPLIER OR CONSUMER OF WATER FROM SOURCE OTHER THAN TRINITY AQUIFER. Prohibits the district from imposing certain fees or taxes.

SECTION 18. BONDS. Prohibits the district from issuing bonds before September 1, 2004.

SECTION 19. MUNICIPALITY'S OPTION TO CHOOSE DISTRICT. Sets forth guidelines regarding certain municipalities' option to choose the groundwater conservation district of which to will be a part.

SECTION 20. FINDINGS RELATING TO PROCEDURAL REQUIREMENTS. Provides findings relating to procedural requirements.

SECTION 21. EFFECTIVE DATE. Effective date: upon passage or September 1, 2001.