

BILL ANALYSIS

Senate Research Center
77R11739 SGA-F

H.B. 3543
By: Hilderbran (Wentworth)
Natural Resources
5/9/2001
Engrossed

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. The Headwaters Underground Water Conservation District was created by the Texas Legislature in 1991 to oversee the groundwater issues in Kerr County. H.B. 3543 renames the Headwaters Underground Water Conservation District as the Headwaters Groundwater Conservation District (district) and provides for other modifications to conform the district with other groundwater districts.

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 Section 1(a), Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, to make conforming changes.

SECTION 2. Amends Section 2, Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, to make conforming changes.

SECTION 3. Amends Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, by adding Section 2A, as follows:

Sec. 2A. NAME CHANGE. Provides that a reference in law to the Headwaters Underground Water Conservation District means the Headwaters Groundwater Conservation District.

SECTION 4. Amends Section 5, Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, to change a reference from "Chapters 50 and 52, Water Code" to "Chapter 36, Water Code;" to add Subsection (c) to provide that, notwithstanding Subsection (a), certain provisions prevail over a conflicting or inconsistent provisions of this Act; and to make a conforming change.

SECTION 5. Amends Section 6, Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, by amending Subsection (e) and adding Subsection (h), as follows:

(e) Changes a reference from "Sections 51.078 and 51.079, Water Code" to "Section 36.055, Water Code."

(h) Requires a person, to be eligible to serve on the board of directors, to have been a resident of the district for at least one year before the date the person takes office as director.

SECTION 6. Amends Section 9, Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991,

to set forth provisions relating to the election of directors. Deletes language relating to previous provisions relating to the election of directors.

SECTION 7. Amends Section 10(a), Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, to authorize, rather than require, the district to contract with Kerr County or a river authority whose boundaries are coextensive with the district's boundaries for certain services.

SECTION 8. Sets forth provisions relating to the directors of the board, notwithstanding Section 9, Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, as amended by this Act.

SECTION 9. Provides that the eligibility requirement created by Section 6(h), Chapter 693, Acts of the 72nd Legislature, Regular Session, 1991, as added by this Act, applies only to a director elected after the effective date of this Act.

SECTION 10. Effective date: upon passage or September 1, 2001.