

BILL ANALYSIS

Senate Research Center
77R3334 QS-D

S.B. 404
By: Fraser
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, the followup election of directors from five separate precincts of the Clearwater Underground Water Conservation District is scheduled for the first Saturday in May 2001. The manner and timing of the election could present problems, such as the establishment of special election precincts for this district only and low voter turnout caused by elections in odd-numbered years. S.B. 404 provides for the election of one director from each of Bell County's four established county commissioners' precincts and one director elected at large. The bill also provides for an election date in May in even-numbered years.

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 10, Chapter 524, Acts of the 71st Legislature, Regular Session 1989, as follows:

Sec. 10. New heading: METHOD OF ELECTING DIRECTORS. (a) Requires the directors of the Clearwater Underground Water Conservation District (district) to be elected according to the commissioners precinct method as provided by this section.

(b) Requires that one director be elected by the electors of the entire district and one director to be elected from each county commissioners precinct by the electors of that precinct.

(c) Requires that to be qualified to be a candidate for or to serve as director at large, a person must be a registered voter in the district. Requires that to be a candidate for or to serve as director from a county commissioners precinct, a person must be a registered voter of that precinct.

(d) Requires a person to indicate certain information on the application for a place on the ballot.

(e) Requires that after the initial election of directors, that all directors be elected to serve four-year terms, except as provided by subsection (f). Provides that the terms of directors are staggered. Requires that on the first Saturday in May of even-numbered years, the appropriate number of directors are to be elected.

(f) Requires that at the first election after the county commissioners precincts are redrawn under Section 18, Article V, Texas Constitution, that four new directors be elected to represent the newly redrawn precincts. Requires that the directors from precincts one and three be elected for two-year terms and the directors from precincts

two and four be elected for four-year terms. Provides that when the directors elected from the new precincts take office, the terms of the directors elected from previous precincts expire. Deletes existing text regarding election of directors and terms of office.

SECTION 2. Sets forth certain conditions for the election and terms of directors of the Clearwater Underground Water Conservation District, if this Act takes effect before March 21, 2001.

SECTION 3. Sets forth certain conditions for the election and terms of directors of the Clearwater Underground Water Conservation District, if this Act takes effect on or after March 21, 2001, and notwithstanding Section 10(f), Chapter 524, Acts of the 71st Legislature, Regular Session, 1989, as amended by this Act.

SECTION 4. Effective date: upon passage or September 1, 2001.