

BILL ANALYSIS

Senate Research Center
77R1833 PAM-F

S.B. 884
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Natural Resources
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DIGEST AND PURPOSE

Currently, many farmers, ranchers, and other landowners are moving to towns or subdivided properties that are no longer within the boundaries of irrigation districts, and by current law, only residents of the district may vote in the elections of the district. Therefore, many farmers, ranchers, and landowners that are recipients of the services and water of the district and contributors of the funds associated with taxes, assessments, and water deliveries are unable to participate in the election process. As proposed, S.B. 884 allows a landowner to vote in district elections without residing in the district. The bill also allows a landowner to choose a representative to cast the landowner's vote.

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 Chapter 58, Water Code, by adding Subchapter E, as follows:

SUBCHAPTER E. ELECTION PROVISIONS

Sec. 58.221. LANDOWNER. Defines "landowner" to refer to a single landowner who holds fee simple title to a parcel of land, regardless of whether the title to the parcel of land is held by an individual landowner, two or more individual landowners, or a corporation, partnership, or other business entity.

Sec. 58.222. ELIGIBILITY TO VOTE. Entitles a landowner, notwithstanding the Election Code and any other law, to one vote in an election conducted by an irrigation district only if the landowner satisfies certain requirements.

Sec. 58.223. ELIGIBILITY REQUIREMENTS. Sets forth eligibility requirements for a landowner or the landowner's registered representative to vote.

Sec. 58.224. REGISTRATION REQUIRED. (a) Requires a landowner to register to vote or register a representative to vote on a form prescribed by the district to be eligible to vote in district elections.

(b) Requires the form to be received by the district on or before the 30th day before the date of the election.

(c) Provides that the registration is valid for a period prescribed by the district.

Sec. 58.225. VOTING BY REPRESENTATIVE. (a) Authorizes a landowner to authorize an individual to vote in a district election as the landowner's representative.

(b) Requires the vote to be made by a registered representative if fee simple title to the land is held by more than one individual or by a corporation, partnership, or other business entity.

Sec. 58.226. LIST OF REGISTERED VOTERS. (a) Requires the district, on or before the 10th day before the date of an election, to file with the county clerk of each county within which the district's boundaries are located a list of registered voters as shown by the district's records as of the 30th day before the date of the election.

(b) Provides that only an individual landowner or registered representative of a landowner whose name appears on the list of registered voters is eligible to vote in a district election.

SECTION 2. Effective date: September 1, 2001.