

BILL ANALYSIS

Senate Research Center

S.B. 1494
By: Madla
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, the Bexar Metropolitan Water District (district) has regulatory power of certain underground waters and the Bexar County Tax Assessor is required to provide tax assessor services for the district. As proposed, S.B. 1494 removes the power of the district to regulate certain underground waters. This bill also removes the requirement that the Bexar County Tax Assessor-Collector must provide tax assessor services for the district and requires the district's boundaries to include territory certified by the Texas Commission on Environmental Quality.

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 2, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) to delete existing text relating to underground waters situated under Bexar Metropolitan Water District (district). Makes a conforming change.

SECTION 2. Amends Section 3, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.), to require the district, in addition to the powers vested by the Constitution and general laws in such public agency for the greatest practicable measure to the conservation, preservation, and beneficial utilization of its public waters, the power to control and utilize its public waters and to regulate the disposal of sewage, waste, and refuse, to have certain general powers.

SECTION 3. Amends Sections 6 and 6a, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) to supercede and delete these sections. [SECTION 7 of this bill states these Sections of V.T.C.S. are repealed.]

SECTION 4. Amends Section 5, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) to [bill as drafted contains no other language for this section].

SECTION 5. Requires orders of the Texas Commission on Environmental Quality (TCEQ) providing for the granting and issuance of Certificates of Convenience and Necessity pursuant to Section 13.242, Texas Water Code, existing at the time of passage of this Act and established in the future, to define the boundaries of the district, and requires the District's present boundaries to include all or applicable portions of census tracts or property situated within any area certified by TCEQ to the district on the date of the passage of this Act in conformity with the Court's Judgment dated April 22, 1996 in Cause No. SA96CA0335, *Rios V. Bexar Metropolitan Water District*, (U.S. District Court - W.D. Texas) and as provided by Chapter 13 of the Texas Water Code.

SECTION 6. Repealer: Section 20.

SECTION 7. Effective date: upon passage or September 1, 2003. Provides that the repeal of Sections 6, 6a and 20, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) does not affect any annexation proceeding initiated before the effective date

of this Act, or any pending application for Certificate of Convenience and Necessity, provided that such application has been referred by the Texas Commission on Environmental Quality to the State Office of Administrative Hearings before the effective date of this Act.