

BILL ANALYSIS

Senate Research Center
79R15524 SGA-F

H.B. 3568
By: Seaman (Zaffirini)
Natural Resources
5/23/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

San Patricio County has an adequate water supply to provide for its current and near future needs, be they agricultural, municipal or industrial. Currently, the county does not have a groundwater conservation district, and interest in creating one has gained momentum in recent years. Circa 1996-97, a bill was written, submitted to the legislature and passed to allow the county to hold an election to determine whether the citizens wanted a groundwater district. At that time, the district was not approved by the voters. There have been several suggestions as to the reasons for its failure: (1) the bill did not include the whole county; (2) there was not enough time between passage by the legislature and the vote allow supporters to properly explain what the district might accomplish; (3) there was a perception that the areas included and individuals involved were all irrigators, and that the whole county was not consulted; (4) no existing political entity was associated with the legislation; and (5) no study was conducted regarding the availability and usage of underground water in the county.

The current legislation has been developed with the above concerns in mind. Initially, a group of interested persons gathered informally to formulate ideas about the proper approach for obtaining new legislation and a positive vote. Following this meeting in early 2004, the San Patricio County Commissioners Court was approached to appoint a committee of five people representing various parts of the county and all major water users. The committee was appointed in March 2004 with the directive to study water availability and usage in the county. The committee met with all water users, water producers and potential water providers in the County to determine their needs and concerns related to underground water. Following extensive study, the committee determined that new legislation to create a groundwater conservation district in San Patricio County was both necessary and desirable, and that it is likely to gain passage by the voters.

H.B. 3568 allows the voters of San Patricio County to determine whether they want to create a groundwater conservation district.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of directors of the San Patricio County Groundwater Conservation District in SECTION 1 (Section 8817.051, Special District Local Laws) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle H, Title 6, Special District Local Laws, by adding Chapter 8817, as follows:

CHAPTER 8817. SAN PATRICIO COUNTY GROUNDWATER
CONSERVATION DISTRICT

Sets forth standard language for the creation of the San Patricio County Groundwater Conservation District (district) in San Patricio County. Sets forth standards, procedures, requirements and criteria for:

Creation and approval of the district (Sections 8817.001-8817.006);

Size, composition, election, and terms of the board of directors of the district (Sections 8817.021-8817.024, 8817.051-8817.052)

Powers and duties of the district (Section 8817.101); and

General finance provisions (Section 8817.151).

Does not authorize the use of eminent domain.

SECTION 2. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: upon passage or September 1, 2005.