

BILL ANALYSIS

Senate Research Center
79R16901 SGA-D

S.B. 1897
By: Madla
Natural Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Culberson County Groundwater Conservation District (district) believes legislation is necessary to cover the aquifers that are unique to Culberson County. They include the Capitan Reef, the Rustler, a portion of the Edwards Trinity in the Southeastern portion of the county, and a large amount of the West Texas Bolsons. In keeping the boundaries as they now exist, a large portion of the Capitan Reef, the entire Rustler, and the portion of the Edwards Trinity are not included. The district believes that this is a potential problem in groundwater management. This hinders any current efforts to protect historic users and keep a sustainable approach to maintain the aquifers. Any property that is not in the district is subject to rule of capture.

As proposed, S.B. 1897 brings the rest of Culberson County into the district in order to protect and preserve the county's (and the state's) ability to manage, protect and preserve all aquifers, and parts of aquifers, that are located within the geographical boundaries of Culberson County.

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 1075, Acts of the 75th Legislature, Regular Session, 1997, by adding Section 3A, as follows:

Sec. 3A. ADDITIONAL TERRITORY. Provides that, in addition to the portions of Culberson County included in the boundaries of the Culberson County Groundwater Conservation District (district) on August 31, 2005, the boundaries of the district include all of the remaining territory in Culberson County.

SECTION 2. (a) Provides that the annexation under Section 3A, Chapter 1075, Acts of the 75th Legislature, Regular Session, 1997, as added by this Act, of the additional territory in Culberson County that was not included in the boundaries of the district on August 31, 2005, is subject to ratification at an election held under Section 36.328 (Election to Ratify Annexation of Land), Water Code, and this section in which only the voters residing in the territory to be annexed are eligible to vote.

(b) Requires the board of directors of the district to hold the ratification election on the first uniform election date that occurs after the effective date of this Act that allows for compliance with the time requirements of the Election Code.

(c) Provides that the district boundaries include all of Culberson County if a majority of the voters voting at the ratification election vote in favor of the annexation.

(d) Provides that the district boundaries are unchanged and this Act expires if a majority of the voters voting at the ratification election do not vote in favor of the annexation.

SECTION 3. Effective date: September 1, 2005.