

BILL ANALYSIS

Senate Research Center

S.B. 1983
By: Estes
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Chapter 35 (Groundwater Studies), Water Code, authorizes the Texas Commission on Environmental Quality (TCEQ) to designate areas of the state that are currently experiencing critical groundwater supply problems or are expected to experience such problems within the next 25-year period. Such areas are referred to as priority groundwater management areas (PGMA). In December of 2006, TCEQ issued a draft report recommending creation of a PGMA that covers 20 north Texas counties, including Hood, Montague, Parker, and Wise counties. This chapter also requires TCEQ, within two years following issuance of its final order designating the PGMA, to either create one or more groundwater conservation districts within the PGMA, recommend that areas within the PGMA be added to existing groundwater districts, or both.

As proposed, S.B. 1983 creates, subject to voter confirmation, the Upper Trinity Groundwater Conservation District in Hood, Montague, Parker, and Wise counties. This bill provides that the district will be organized as a fee-based district with the powers to manage the groundwater resources within its boundaries pursuant to the authority granted to groundwater districts under article XVI, Section 59, Texas Constitution, and Chapter 36 (Ground Water Conservation Districts), Water Code.

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 Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8814, as follows:

CHAPTER 8814. UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

Sets forth standard language for the creation of the Upper Trinity Groundwater Conservation District (district) in Hood, Montague, Parker, and Wise counties. Sets forth standards, procedures, requirements, and criteria for:

Creation, definitions, nature, and approval of the district (Sections 8814.001-8814.006);

Size, composition, election, and terms of the board of directors of the district (Sections 8814.007-8814.015);

Powers and duties of the district (Sections 8814.016-8814.023); and

General financial provisions, authority to impose fees, and prohibition on imposing taxes (Sections 8814.024-8814.025).

Authorizes the use of eminent domain by the district.

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. (a) Effective date: September 1, 2007.

(b) Provides that if the creation of the district is not confirmed at a confirmation election before September 1, 2009, this Act expires on September 1, 2012.