

## **BILL ANALYSIS**

Senate Research Center  
80R3709 JLL-F

S.B. 610  
By: Duncan  
Natural Resources  
4/30/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Salt Fork Water Quality District (district) was created by an Act in 1999. The district was formed solely in Stonewall County to improve, preserve, and protect the quality of the waters of the Salt Fork of the Brazos River and its tributaries.

In 2005, the United States Department of Commerce awarded a grant to study a multi-county project to control and remove highly concentrated salt water or brine from the river basin.

As proposed, S.B. 610 expands the district to include Stonewall, Kent, Garza, and Scurry counties. The bill clarifies the district's right, privileges, powers, and duties and makes existing language parallel to similar provisions in Chapter 65 (Special Utility Districts), Water Code. The bill also provides for a four-member board of directors appointed by the commissioners court of each respective 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 Section 3, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, to include Kent, Scurry, and Garza counties, in addition to Stonewall County, as being coextensive with the boundaries of a conservation and reclamation district known as the Salt Fork Water Quality District (district).

SECTION 2. Amends Section 6(c), Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, to authorize the district to perform certain actions for the purposes describe by this Act in addition to the rights, privileges, powers, and duties provided by the general laws of this state.

SECTION 3. Amends Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, as follows:

Sec. 7. BOARD OF DIRECTORS. (a) Provides that the district is to be governed by four directors, rather than five directors. Requires the commissioners courts of Stonewall, Kent, Scurry, and Garza counties to each appoint one director.

(b) Requires a person to be a registered voter of the county that the commissioners court represents in order to be eligible for a director appointment. Deletes existing text requiring three of the initial directors to serve terms that expire on September 1, 2003, and two of the initial directors to serve terms that expire on September 1, 2002.

(c) Specifies that directors serve two-year terms beginning on September 1 of odd-numbered years. Authorizes the commissioners court to make an appointment on or after the 45th day before the date the term begins. Deletes existing text requiring the commissioners court to appoint a director to serve a certain term after the expiration of another term. Makes a conforming change.

(d) Requires each director to qualify to serve as director in the manner provided by Section 49.055 (Sworn Statement, Bond, and Oath of Office), Water Code, except that a bond is not required. Deletes existing Subsection (f) to make a conforming change.

SECTION 4. Requires the commissioner courts of Stonewall, Kent, Scurry, and Garza counties to appoint initial directors under Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, as amended by this Act, as soon as practicable after the effective date of this Act. Requires initial directors to serve until September 1, 2009, or until a successor has been appointed and qualified.

SECTION 5. 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 6. Effective date: upon passage or September 1, 2007.