

BILL ANALYSIS

Senate Research Center
81R26585 SGA-D

S.B. 2570
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Kenedy County Groundwater Conservation District (district) was created in 2003 through the enactment of Chapters 1152 (relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District) and 1162 (relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District), Acts of the 78th Legislature, Regular Session, and encompasses all of Kenedy County and parts of Kleberg County. Since 2003, the district has expanded to include portions of Brooks, Hidalgo, Jim Wells, Nueces, and Willacy counties.

Currently, the district is governed by a five-member board; four members elected from Kenedy County Commissioners precincts and one elected from the boundaries of the Santa Gertudis School District. As a result of expansion beyond Kenedy and Kleberg counties, the election boundaries of the five-member board need to be adjusted to accurately represent the current district boundaries.

As proposed, S.B. 2570 amends current law relating to the board of directors of the district.

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 1152, Acts of the 78th Legislature, Regular Session, 2003, by adding Section 9A, as follows:

Sec. 9A. METHOD OF ELECTING DIRECTORS: SINGLE-MEMBER DISTRICTS.

(a) Requires the board of directors (board) of the Kenedy County Groundwater Conservation District (district), as soon as practicable after the effective date of the Act by which this section is enacted into law, to divide the district into five single-member districts for electing directors, and assign each of the existing board positions to one of the new single-member districts.

(b) Provides that if the district annexes territory, the annexed territory becomes part of one or more of the single-member districts as determined by the board.

(c) Requires one director to be elected from each single-member district.

(d) Requires a person, to be a candidate for or to serve as a director, to be a registered voter in the single-member district the person represents or seeks to represent.

(e) Requires a person to indicate on the application for a place on the ballot the single-member district the person seeks to represent.

(f) Authorizes the board, after each federal decennial census or as needed, to redraw the single-member districts to reflect population changes. Requires a director in office on the effective date of a change in the boundaries of a single-member district, or a director elected or appointed before the effective date of the

change whose term of office begins on or after the effective date of the change, to serve for the remainder of the director's term in the single-member district to which elected or appointed even though the change in boundaries places the director's residence outside the district to which the director was elected or appointed.

SECTION 2. Amends Chapter 1162, Acts of the 78th Legislature, Regular Session, 2003, by adding Section 8A, as follows:

Sec. 8A. METHOD OF ELECTING DIRECTORS: SINGLE-MEMBER DISTRICTS.

(a) Requires the board, as soon as practicable after the effective date of the Act by which this section is enacted into law, to divide the district into five single-member districts for electing directors, and assign each of the existing board positions to one of the new single-member districts.

(b) Provides that if the district annexes territory, the annexed territory becomes part of one or more of the single-member districts as determined by the board.

(c) Requires one director to be elected from each single-member district.

(d) Requires a person, to be a candidate for or to serve as a director, to be a registered voter in the single-member district the person represents or seeks to represent.

(e) Requires a person to indicate on the application for a place on the ballot the single-member district the person seeks to represent.

(f) Requires the board, after each federal decennial census or as needed, to redraw the single-member districts to reflect population changes. Requires a director in office on the effective date of a change in the boundaries of a single-member district, or a director elected or appointed before the effective date of the change whose term of office begins on or after the effective date of the change, to serve for the remainder of the director's term in the single-member district to which elected or appointed even though the change in boundaries places the director's residence outside the district to which the director was elected or appointed.

SECTION 3. Repealer: Section 9 (Method of Electing Directors; Commissioners Precincts), Chapter 1152 (relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District), Acts of the 78th Legislature, Regular Session, 2003.

Repealer: Section 8 (Method of Electing Directors; Commissioners Precincts), Chapter 1162 (relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District), Acts of the 78th Legislature, Regular Session, 2003.

SECTION 4. (a) Makes application of this Act prospective.

(b) Provides that the change in law made by this Act does not affect the term of office of a director serving on the board of directors of the district on the effective date of this Act.

SECTION 5. Effective date: upon passage or September 1, 2009.