

BILL ANALYSIS

Senate Research Center
83R17002 AED-D

H.B. 2153
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Agriculture, Rural Affairs & Homeland Security
5/17/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Chapter 202 (Wind Erosion Districts) of the Agriculture Code provides for wind erosion conservation districts to conserve the soil by preventing unnecessary erosion caused by wind. The districts were created during the Great Depression of the 1930s in which wind erosion prevention was at the forefront of national legislative agendas due to the Dust Bowl. However, this statute created for wind erosion conservation districts has not been used for over 55 years. Currently, the Texas State Soil and Water Conservation Board maintains many soil conservation programs in the state.

H.B. 2153 removes the unnecessary wind erosion conservation districts in the state by repealing Chapter 202 of the Agricultural Code and allocates remaining funds to the county in which the district is located.

H.B. 2153 amends current law relating to the abolition of wind erosion conservation districts.

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. Repealer: Chapter 202 (Wind Erosion Districts), Agriculture Code.

SECTION 2. (a) Requires the county judge of each county in this state in which a wind erosion conservation district is located or the judge's designee to proceed with the dissolution of the district as soon as possible.

(b) Requires the county judge or the judge's designee to conduct an inventory of the assets of the wind erosion conservation district and determine the debt owed by the district.

(c) Requires the county judge or the judge's designee to control and administer the property, funds, and other assets and the debts of the wind erosion conservation district until all assets have been disposed of and all debts, including outstanding bonds, of the district have been paid or settled.

(d) Requires the county judge or the judge's designee, after the county judge or the judge's designee has paid all debts and has disposed of all assets of the wind erosion conservation district as prescribed by this section, to:

(1) transfer to the county in which the district is located all net proceeds of the disposal of the assets; and

(2) file a written report with the commissioners court of the county setting forth a summary of the county judge's or the judge's designee's actions in dissolving the district.

(e) Requires the commissioners court, not later than the 10th day after the date the commissioners court receives the report under Subsection (d)(2) of this section and determines that the requirements of this section have been fulfilled, to enter an order dissolving the district.

SECTION 3. Effective date: upon passage or September 1, 2013.