

BILL ANALYSIS

Senate Research Center
84R5138 TSR-F

C.S.S.B. 363
By: Fraser
Agriculture, Water & Rural Affairs
3/31/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Bandera County River Authority and Groundwater District was originally created by the 62nd Legislature as the Bandera County River Authority. During the 71st Legislature, it was modified and merged with the Springhills Water Management District. In 2003, the district was renamed the Bandera County River Authority and Groundwater District.

C.S.S.B. 363 changes the election date for the directors of the board of the district from the first Saturday in May to the uniform election date in November and provides a method of transition for the terms of district directors.

C.S.S.B. 363 amends current law relating to the election dates for directors of the Bandera County River Authority and Groundwater 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 654, Acts of the 71st Legislature, Regular Session, 1989, by adding Section 1A and amending Section 10, as follows:

Sec. 1A. REFERENCE IN LAW MEANING BANDERA COUNTY RIVER AUTHORITY AND GROUNDWATER DISTRICT. Provides that the district name is the Bandera County River Authority and Groundwater District. Provides that a reference in law to the Springhills Water Management District means the Bandera County River Authority and Groundwater District.

Sec. 10. ELECTION OF DIRECTORS. (a) Provides that directors of the Bandera County River Authority and Groundwater District serve staggered four-year terms.

(b) Requires an election to be held every two years on the uniform election date in November to elect the appropriate number of directors. Requires that two directors be elected from each commissioner precinct and one director be elected at large. Requires the director elected from each commissioner precinct who receives the fewer number of votes to serve a two-year term, and the director elected from each commissioner precinct who receives the most votes and the director at large to serve a four-year term. Provides that, thereafter, the appropriate number of directors are required to be elected to the board on the same date in each subsequent year.

Deletes existing text requiring an election to be held in the district for the election of directors on the first Saturday in May of the second year after the year in which the district is authorized to be created at a confirmation election.

SECTION 2. Provides that the term of a director elected to the board of the Bandera County River Authority and Groundwater District in May 2013 expires on December 1, 2016, and the term of a director elected to the board in May 2015 expires December 1, 2018.

SECTION 3. Sets forth legislative findings.

SECTION 4. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) Provides that the governor has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) Provides that all requirements of the constitution and 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 5. Effective date: September 1, 2015.