

BILL ANALYSIS

C.S.H.B. 3374
By: Rangel
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas faces a difficult challenge to develop water policies that serve state and regional interests. The Texas Constitution authorizes the creation of groundwater conservation districts to plan, develop, and regulate the use of water. C.S.H.B. 3374 creates the Kenedy Groundwater Conservation District, subject to approval at a confirmation election, to manage groundwater resources in Kenedy county.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3374 creates the Kenedy County Groundwater Conservation District (district) in Kenedy County, subject to approval at a confirmation election (SECTION 2).

The legislation defines district, makes findings, and provides that the district shall have all the powers in Chapter 36, Water Code and is created under Article XVI, Texas Constitution. It further clarifies that certain sections of the Water Code prevail over conflicting or inconsistent provisions, and Chapter 49, Water Code, does not apply to the district (SECTIONS 3,5,12).

C.S.H.B. 3374 sets the boundaries of the district as coextensive with the boundaries of Kenedy County (SECTION 4).

C.S.H.B. 3374 provides that the district is governed by a board of five directors (board) and their qualifications and terms of the directors (SECTION 6).

C.S.H.B. 3374 sets out compensation for the directors and provisions for the appointment of temporary directors by the commissioners court (SECTIONS 7-8).

C.S.H.B. 3374 provides a method of electing directors, and provides for confirmation and initial directors' election. The bill also sets out provisions for conducting elections for directors (SECTIONS 9-11).

C.S.H.B. 3374 sets out that the district may not levy a tax to pay any part of bonds or notes issued by the district that exceeds 20 cents on each \$100 of assessed valuation (SECTION 13).

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3374 is a legislative council draft of the original.