

## **BILL ANALYSIS**

Senate Research Center

S.B. 1494  
By: Madla  
Natural Resources  
8/7/2003  
Enrolled

### **DIGEST AND PURPOSE**

Currently, the Bexar Metropolitan Water District (district) has regulatory power of certain underground waters and the Bexar County Tax Assessor is required to provide tax assessor services for the district. S.B. 1494 removes the power of the district to regulate certain underground waters. This bill also removes the requirement that the Bexar County Tax Assessor-Collector must provide tax assessor services for 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 Section 2, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) to delete existing text relating to underground waters situated under Bexar Metropolitan Water District (district). Makes a conforming change.

SECTION 2. Amends Section 3, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.), to require the district, in addition to the powers vested by the Constitution and general laws in such public agency for the greatest practicable measure to the conservation, preservation, and beneficial utilization of its public waters, the power to control and utilize its public waters and to regulate the disposal of sewage, waste, and refuse, to have certain general powers.

SECTION 3. Amends Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) by adding Section 5A, as follows:

Sec. 5A. (a) Provides that the District's boundaries for purposes of the exercise of its powers and duties is defined in Section 5 of this Act.

(b) Requires the District's boundaries to include the territory defined in all or applicable portions of census tracts or property situated within any area certificated by the Texas Commission on Environmental Quality to the District on the date of passage of the Act adding this section pursuant to Certificates of Convenience and Necessity Nos. 10675, 12759, and 12760, in conformity with the court's judgment dated April 22, 1996, in Cause No. SA96CA0335, Rios v. Bexar Metropolitan Water District et al., in the United States District Court, Western District of Texas, and for the purpose of the exercise of its current retail water utility services.

SECTION 4. Repealer: Sections 6, 6a, and 20, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.).

SECTION 5. (a) Effective date: upon passage or September 1, 2003.

(b) Provides that the repeal of Sections 6, 6a and 20, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.) does not affect any annexation proceeding initiated before the effective date of this Act. Makes the application of this Act prospective regarding an annexation proceeding.

(c) Makes the application of the repeal of Sections 6, 6a, and 20, Chapter 306, Acts of the 49th Legislature, Regular Session, 1945 (Article 8280-126, V.T.C.S.), prospective.