

## **BILL ANALYSIS**

S.B. 1494  
By: Madla  
Natural Resources  
Committee Report (Amended)

### **BACKGROUND 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**

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**

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. Requires the district's boundaries, for purposes of the exercise of the district's current retail water utility services, to include the territory defined in all of the portions of, or the applicable portions of, the census tracts or property situated within the area described by certificates of convenience and necessity numbers 10675, 12759, and 12760 issued by TCEQ as they are in effect on the effective date of this Act, in addition to the territory described by Section 5 of this Act, and in conformity with the court's order dated April 22, 1996, in *Rios v. Bexar Metropolitan Water District et al.*, No. SA-96CA-0335, in the United State District Court, Western District of Texas.

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.

**EXPLANATION OF AMENDMENTS**

Committee Amendment No. 1 clarifies that the district's boundaries for the purposes of the exercise of its powers and duties is defined by its metes and bounds. The amendment further clarifies that for the purposes of the Voting Rights Act and the exercise of retail water utility services the district's boundaries include its CCN.