

1-1 By: Estes S.B. No. 1925
1-2 (In the Senate - Filed April 28, 2003; April 28, 2003, read
1-3 first time and referred to Committee on Natural Resources;
1-4 May 5, 2003, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; May 5, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the powers, financing, and fees of office for the
1-9 Rolling Plains Groundwater Conservation District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 5, Chapter 1028, Acts of the 73rd
1-12 Legislature, Regular Session, 1993, is amended by amending
1-13 Subsection (b) and adding Subsection (c) to read as follows:

1-14 (b) Notwithstanding Subsection (a) of this section, Section
1-15 36.121, Water Code, does not apply to the district [~~The rights,~~
1-16 ~~powers, privileges, authority, functions, and duties of the~~
1-17 ~~district are subject to the continuing right of supervision of the~~
1-18 ~~state to be exercised by and through the Texas Natural Resource~~
1-19 ~~Conservation Commission].~~

1-20 (c) Notwithstanding Subsection (a) of this section, Section
1-21 36.205(e), Water Code, does not apply to the district. The district
1-22 may assess fees under Section 36.205(c) or 36.122(e), Water Code,
1-23 in an annual amount not to exceed:

1-24 (1) \$1 per acre-foot of water used for agricultural
1-25 use; or

1-26 (2) 17 cents per thousand gallons of water used for any
1-27 other purpose.

1-28 SECTION 2. Section 6, Chapter 1028, Acts of the 73rd
1-29 Legislature, Regular Session, 1993, is amended by adding Subsection
1-30 (d) to read as follows:

1-31 (d) A director is not entitled to receive fees of office
1-32 under Section 36.060, Water Code, if the director holds another
1-33 office that is a civil office of emolument for purposes of Section
1-34 40, Article XVI, Texas Constitution. Except as provided by this
1-35 subsection, a director may receive reimbursement of actual expenses
1-36 as provided by Section 36.060(b), Water Code. The board of
1-37 directors of the district by rule, bylaw, or resolution may limit
1-38 the amount of fees of office or the amount of reimbursement for
1-39 actual expenses a director is entitled to receive. This subsection
1-40 prevails over any provision of general or special law that is in
1-41 conflict or inconsistent with this subsection, including Section
1-42 36.060(d), Water Code.

1-43 SECTION 3. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2003.

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