

## **BILL ANALYSIS**

C.S.H.B. 3509  
By: Escobar  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Preserving water supplies is a vital need in Texas and especially in areas such as Kleberg County where water is scarce. Texas law allows for the creation of groundwater conservation districts empowered to develop plans and methods to conserve water supplies. A portion of Kleberg County was included in a groundwater district created by the 78th Legislature, but other portions of the county are not included in such a district. CSHB 3509 would create a new groundwater conservation district composed of the remaining portion of the county. CSHB 3509 gives the district the power to develop and implement aquifer storage and recovery projects.

### **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. Adds a new Chapter 8816 to Special District Local Laws Code creating the Kleberg County Groundwater Conservation District.

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| Sec. 8816.001. | Definitions of the terms "board," "director," and "district."  |
| Sec. 8816.002. | Provides that the district is a groundwater conservation district created under the provisions of Sec. 59, Art. XVI of the Texas Constitution.                             |
| Sec. 8816.003. | Provides for a confirmation election for the district and that if the district is not created by Sept. 1, 2007, the district is dissolved.                                 |
| Sec. 8816.004. | Provides that the district is composed of the territory described in SECTION 2.  |
| Sec. 8816.005. | Provides that Chapter 36, Water Code, applies to the district.   |
| Sec. 8816.021. | Provides for Temporary Directors of the district and for the replacement of a director if a vacancy occurs.  |
| Sec. 8816.022. | Provides that the confirmation election is to be conducted as provided by Section 36.017 (b)-(i), Water Code, and the Election Code, except Sec. 41.001(a), Election Code. |
| Sec. 8816.023. | Provides that the temporary directors become the initial directors after the confirmation election.  |
| Sec. 8816.024. | Provides that an election of permanent directors is to be held in May of the first even-numbered year after confirmation of the district.                                  |
| Sec. 8816.025. | Provides that the temporary provisions expire on Sept. 1, 2010.  |

Sec. 8816.051	Provides that the district is governed by a five-member board of directors serving staggered four-year terms.
Sec. 8816.052	Provides for the election of four directors by single-member districts and one director to be elected at-large.
Sec. 8816.053	Provides that the district must hold director elections in May of even-numbered years.
Sec. 8816.101	Provides that in addition to the powers granted under Chapter 36, Water Code, the district has the power to implement aquifer storage and recovery projects.

SECTION 2. Describes the area included within the Kleberg County Groundwater Conservation District.

SECTION 3. Explains that legal notice has been published and provided as required by law.

### **EFFECTIVE DATE**

CSHB 3509 takes effect on September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The Committee Substitute for HB 3509 names the Temporary Directors, corrects a typographical error in HB 3509, and gives the new district the authority to develop and implement aquifer storage and recovery projects.