

## **BILL ANALYSIS**

C.S.S.B. 547  
By: Madla  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The El Paso County Water Improvement District No. 1 is governed by a five-member board of directors (the board). The directors are elected by registered voters within the district's boundaries and serve four-year terms.

Currently, a registered voter does not have to own land with water rights, irrigate or pay water right taxes in order to qualify to vote, as long as the voter lives within the district's boundaries. Thus, persons who are not necessarily affected by the decisions or actions of the board can determine the membership of the board. Furthermore, people who own land with water rights, pay water right taxes and irrigate, but who do not live within El Paso County Water Improvement District No. 1, are not qualified to vote.

C.S.S.B. 547 requires that in order to qualify as a voter of the El Paso County Water Improvement District No. 1, a person must be 18 years of age or older; is a United States citizen; holds title to or an interest in title to irrigable farmland or ranchland within the boundaries of the district and receives; and, receives and uses irrigation water delivered by the district through the district's canal system.

### **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 Subtitle J, Title 6, Special District Local Laws Code, by adding Chapter 9303, as follows:

CHAPTER 9303. EL PASO COUNTY WATER  
IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9303.001. DEFINITION. Defines "district".

[Reserves Sections 9303.002-9303.050 for expansion]

SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

Sec. 9303.051. VOTER ELIGIBILITY. (a) Provides that an individual is eligible to vote in a district election only if the individual (1) is 18 years of age or older; (2) is a United States citizen; (3) holds title to or an interest in title to irrigable farmland or ranchland within the boundaries of the district; and (4) receives and uses irrigation water delivered by the district through the district's canal system. (b) Provides that to vote in a district election, an individual eligible to vote under Section 9303.051(a) must register with the district no later than the 60th day before the date on which the district election is held. (c) Requires the district to file with the county clerk of El Paso County a certified copy of the list of the district's registered voters no later than the 25th day before the date on which a district election is held.

### **EFFECTIVE DATE**

C.S.S.B. 547 takes effect September 1, 2005.

C.S.S.B. 547 79(R)

## **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute modified the engrossed version of the bill by removing a provision that would have allowed an individual to vote that had an ownership interest in an entity holding title to certain taxable land. The substitute modified the engrossed bill's requirements for voter eligibility to require that to be eligible to vote in a district election an individual must hold title to or an interest in title to irrigable farmland or ranchland within the boundaries of the district and receives and uses irrigation water delivered by the district through the district's canal system.