

BILL ANALYSIS

S.B. 1799
By: Zaffirini
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Bee County Groundwater Conservation District (district) was created to protect and conserve the groundwater within the district under Chapters 36 and 49, Water Code. The district is interested in preserving and protecting the aquifer in the district, as authorized by Chapter 36, Water Code. The powers and authority granted under Chapter 36 are necessary to accomplish the goals of the district.

As proposed, S.B. 1799 eliminates Chapter 49 from the rights, powers, privileges, authority, functions, and duties of the district. The powers and provisions of this chapter are not needed and cause an unnecessary burden on 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 5(a), Chapter 678, Acts of the 75th Legislature, Regular Session, 1997, as follows:

- (a) Provides that a groundwater conservation district (district) has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapter 36 (Groundwater Conservation Districts), Water Code, applicable to districts created under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI, Texas Constitution. Deletes existing reference to Chapter 49 (Provisions Applicable to all Districts), Water Code.

SECTION 2. Effective date: upon passage or September 1, 2005.

EFFECTIVE DATE

Upon passage or September 1, 2005.