

## **BILL ANALYSIS**

S.B. 1853  
By: Madla  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Section 51.305(a), Water Code, mandates that not less than one-third nor more than two-thirds of the estimated maintenance and operating expenses for a water district must be paid from a flat rate assessment. The Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1 (BMA) maintenance and operating expenses are increasing to satisfy its obligations to provide water for municipal use. However, Section 51.305(a) requires that at least one-third of the cost be allocated to farmers, so the board has been forced to increase the flat tax assessment paid by farmers when the municipal customers are creating the cost. As proposed, S.B. 1853 allows BMA to lower the tax rate on farmers in 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. Provides that certain limitations on the portion of the estimated maintenance and operating expenses of a water control and improvement district that may be paid by an assessment against land in the district to which the district can furnish water through its irrigation system or through an extension of its irrigation system do not apply to Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1.

SECTION 2. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished.

(b) Provides that the governor has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) Provides that the Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: upon passage or September 1, 2005.

### **EFFECTIVE DATE**

Upon passage or September 1, 2005.