By: Luna   H.B. No. 3513

Substitute the following for H.B. No. 3513:

By: Puente   C.S.H.B. No. 3513

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the creation of the Corpus Christi Aquifer Storage and

3 Recovery Conservation District.

4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5   SECTION 1.   Subtitle H, Title 6, Special District Local Laws

6 Code, is amended by adding Chapter 8811 to read as follows:

7   CHAPTER 8811. CORPUS CHRISTI AQUIFER STORAGE AND RECOVERY

8   CONSERVATION DISTRICT

9   SUBCHAPTER A. GENERAL PROVISIONS

10   Sec. 8811.001. DEFINITIONS. In this chapter:

11   (1) "Board" means the board of directors of the

12 district.

13   (2) "Director" means a member of the board.

14   (3) "District" means the Corpus Christi Aquifer

15 Storage and Recovery Conservation District.

16   Sec. 8811.002. NATURE OF DISTRICT.   The district is a

17 conservation and reclamation district in Kleberg, Nueces, and San

18 Patricio Counties created under and essential to accomplish the

19 purposes of Section 59, Article XVI, Texas Constitution.   The

20 district is created to develop and protect municipal aquifer

21 storage areas created by the City of Corpus Christi.

22   Sec. 8811.003. CONFIRMATION ELECTION NOT REQUIRED.   An

23 election to confirm the creation of the district is not required.

24   Sec. 8811.004. INITIAL DISTRICT TERRITORY.   The initial

1 boundaries of the district are coextensive with the city limits of

2 the City of Corpus Christi and include:

3 　　　　　(1)　property owned by or under contract to the City of

4 Corpus Christi in Nueces and Kleberg Counties; and

5 　　　　　(2)　in San Patricio County, property owned by or under

6 contract to the City of Corpus Christi and bounded on the west by

7 Interstate Highway 37 and U.S. Highway 77, on the north by the

8 metropolitan planning organization boundary, on the east by County

9 Road 2849, and on the south by the city limits of the City of Corpus

10 Christi.

11 　　　Sec. 8811.005.　APPLICABILITY　OF　OTHER　LAW.　Except　as

12 otherwise provided by this chapter, Chapter 36, Water Code, applies

13 to the district.

14 　　　Sec. 8811.006.　CREATION　OF　GROUNDWATER　CONSERVATION

15 DISTRICTS　IN　SAN　PATRICIO　COUNTY.　(a)　This　chapter　does　not

16 preclude the creation of a groundwater conservation district in San

17 Patricio County.

18 　　　(b)　A　groundwater　conservation　district　created　in　San

19 Patricio　County　may　not　limit　or　restrict　the　district　from

20 recovering water stored by the district in a municipal aquifer

21 storage area in the district, even if the municipal aquifer storage

22 area is also located in the groundwater conservation district.

23 　　　(c)　To the extent that the boundaries of the district and a

24 groundwater conservation district in San Patricio County overlap,

25 the　power　and　authority　of　the　two　districts　are　joint　and

26 coextensive.

27 　　　(d)　The district and land in the district are exempt from

taxes and fees imposed by a groundwater conservation district created in San Patricio County.

[Sections 8811.007-8811.020 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8811.021. DIRECTORS; TERMS. (a) The district is governed by a board of five directors.

(b) Except as provided by Subsection (c), directors serve staggered four-year terms.

(c) The initial directors shall draw lots to determine which three directors shall serve four-year terms that expire at the end of the calendar year four years after the effective date of the Act creating this chapter, and which two directors shall serve two-year terms that expire at the end of the calendar year two years after the effective date of the Act creating this chapter.

Sec. 8811.022. APPOINTMENT OF DIRECTORS. The Corpus Christi City Council shall appoint the directors.

Sec. 8811.023. VACANCY. If a vacancy occurs on the board, the board may appoint a director to serve the remainder of the term.

Sec. 8811.024. OFFICERS. The board shall annually elect officers. The officers must be confirmed by the Corpus Christi City Council.

[Sections 8811.025-8811.050 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8811.051. AQUIFER STORAGE AND RECOVERY PROJECTS. The district may implement and develop aquifer storage and recovery projects.

Sec. 8811.052. MUNICIPAL AQUIFER STORAGE AREAS IN SAN

1 PATRICIO COUNTY. The district may not allow more water to be

2 recovered from a municipal aquifer storage area in San Patricio

3 County than the amount of water stored by the district at the

4 municipal aquifer storage area.

5 Sec. 8811.053. TAXES AND BONDS PROHIBITED. The district

6 may not impose a tax or issue bonds.

7 Sec. 8811.054. EMINENT DOMAIN. The district may not

8 exercise the power of eminent domain.

9 SECTION 2. (a) The legal notice of the intention to

10 introduce this Act, setting forth the general substance of this

11 Act, has been published as provided by law, and the notice and a

12 copy of this Act have been furnished to all persons, agencies,

13 officials, or entities to which they are required to be furnished

14 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

15 Government Code.

16 (b) The governor has submitted the notice and Act to the

17 Texas Commission on Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed

19 its recommendations relating to this Act with the governor,

20 lieutenant governor, and speaker of the house of representatives

21 within the required time.

22 (d) All requirements of the constitution and laws of this

23 state and the rules and procedures of the legislature with respect

24 to the notice, introduction, and passage of this Act are fulfilled

25 and accomplished.

26 SECTION 3. This Act takes effect immediately if it receives

27 a vote of two-thirds of all the members elected to each house, as

1   provided by Section 39, Article III, Texas Constitution. If this

2   Act does not receive the vote necessary for immediate effect, this

3   Act takes effect September 1, 2005.