

1-1 By: Luna, Seaman (Senate Sponsor - Hinojosa) H.B. No. 3513
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on Natural
1-4 Resources; May 20, 2005, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Corpus Christi Aquifer Storage and
1-9 Recovery Conservation District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subtitle H, Title 6, Special District Local Laws
1-12 Code, is amended by adding Chapter 8811 to read as follows:

1-13 CHAPTER 8811. CORPUS CHRISTI AQUIFER STORAGE AND RECOVERY

1-14 CONSERVATION DISTRICT

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8811.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the board of directors of the
1-18 district.

1-19 (2) "Director" means a member of the board.

1-20 (3) "District" means the Corpus Christi Aquifer
1-21 Storage and Recovery Conservation District.

1-22 Sec. 8811.002. NATURE OF DISTRICT. The district is a
1-23 conservation and reclamation district in Kleberg, Nueces, and San
1-24 Patricio Counties created under and essential to accomplish the
1-25 purposes of Section 59, Article XVI, Texas Constitution. The
1-26 district is created to develop and protect municipal aquifer
1-27 storage areas created by the City of Corpus Christi.

1-28 Sec. 8811.003. CONFIRMATION ELECTION NOT REQUIRED. An
1-29 election to confirm the creation of the district is not required.

1-30 Sec. 8811.004. INITIAL DISTRICT TERRITORY. The initial
1-31 boundaries of the district are coextensive with the city limits of
1-32 the City of Corpus Christi and include:

1-33 (1) property owned by or under contract to the City of
1-34 Corpus Christi in Nueces and Kleberg Counties; and

1-35 (2) in San Patricio County, property owned by or under
1-36 contract to the City of Corpus Christi and bounded on the west by
1-37 Interstate Highway 37 and U.S. Highway 77, on the north by the
1-38 metropolitan planning organization boundary, on the east by County
1-39 Road 2849, and on the south by the city limits of the City of Corpus
1-40 Christi.

1-41 Sec. 8811.005. APPLICABILITY OF OTHER LAW. Except as
1-42 otherwise provided by this chapter, Chapter 36, Water Code, applies
1-43 to the district.

1-44 Sec. 8811.006. CREATION OF GROUNDWATER CONSERVATION
1-45 DISTRICTS IN SAN PATRICIO COUNTY. (a) This chapter does not
1-46 preclude the creation of a groundwater conservation district in San
1-47 Patricio County.

1-48 (b) A groundwater conservation district created in San
1-49 Patricio County may not limit or restrict the district from
1-50 recovering water stored by the district in a municipal aquifer
1-51 storage area in the district, even if the municipal aquifer storage
1-52 area is also located in the groundwater conservation district.

1-53 (c) To the extent that the boundaries of the district and a
1-54 groundwater conservation district in San Patricio County overlap,
1-55 the power and authority of the two districts are joint and
1-56 coextensive.

1-57 (d) The district and land in the district are exempt from
1-58 taxes and fees imposed by a groundwater conservation district
1-59 created in San Patricio County.

1-60 [Sections 8811.007-8811.020 reserved for expansion]

1-61 SUBCHAPTER B. BOARD OF DIRECTORS

1-62 Sec. 8811.021. DIRECTORS; TERMS. (a) The district is
1-63 governed by a board of five directors.

1-64 (b) Except as provided by Subsection (c), directors serve

2-1 staggered four-year terms.

2-2 (c) The initial directors shall draw lots to determine which
2-3 three directors shall serve four-year terms that expire at the end
2-4 of the calendar year four years after the effective date of the Act
2-5 creating this chapter, and which two directors shall serve two-year
2-6 terms that expire at the end of the calendar year two years after
2-7 the effective date of the Act creating this chapter.

2-8 Sec. 8811.022. APPOINTMENT OF DIRECTORS. The Corpus
2-9 Christi City Council shall appoint the directors.

2-10 Sec. 8811.023. VACANCY. If a vacancy occurs on the board,
2-11 the board may appoint a director to serve the remainder of the term.

2-12 Sec. 8811.024. OFFICERS. The board shall annually elect
2-13 officers. The officers must be confirmed by the Corpus Christi City
2-14 Council.

2-15 [Sections 8811.025-8811.050 reserved for expansion]

2-16 SUBCHAPTER C. POWERS AND DUTIES

2-17 Sec. 8811.051. AQUIFER STORAGE AND RECOVERY PROJECTS. The
2-18 district may implement and develop aquifer storage and recovery
2-19 projects.

2-20 Sec. 8811.052. MUNICIPAL AQUIFER STORAGE AREAS IN SAN
2-21 PATRICIO COUNTY. The district may not allow more water to be
2-22 recovered from a municipal aquifer storage area in San Patricio
2-23 County than the amount of water stored by the district at the
2-24 municipal aquifer storage area.

2-25 Sec. 8811.053. TAXES AND BONDS PROHIBITED. The district
2-26 may not impose a tax or issue bonds.

2-27 Sec. 8811.054. EMINENT DOMAIN. The district may not
2-28 exercise the power of eminent domain.

2-29 SECTION 2. (a) The legal notice of the intention to
2-30 introduce this Act, setting forth the general substance of this
2-31 Act, has been published as provided by law, and the notice and a
2-32 copy of this Act have been furnished to all persons, agencies,
2-33 officials, or entities to which they are required to be furnished
2-34 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-35 Government Code.

2-36 (b) The governor has submitted the notice and Act to the
2-37 Texas Commission on Environmental Quality.

2-38 (c) The Texas Commission on Environmental Quality has filed
2-39 its recommendations relating to this Act with the governor,
2-40 lieutenant governor, and speaker of the house of representatives
2-41 within the required time.

2-42 (d) All requirements of the constitution and laws of this
2-43 state and the rules and procedures of the legislature with respect
2-44 to the notice, introduction, and passage of this Act are fulfilled
2-45 and accomplished.

2-46 SECTION 3. This Act takes effect immediately if it receives
2-47 a vote of two-thirds of all the members elected to each house, as
2-48 provided by Section 39, Article III, Texas Constitution. If this
2-49 Act does not receive the vote necessary for immediate effect, this
2-50 Act takes effect September 1, 2005.

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