

## **BILL ANALYSIS**

H.B. 4009  
By: Hilderbran  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Emerald Underground Water Conservation District is changing the district's name to the Crockett County Groundwater Conservation District. When the District was formed in 1989, groundwater conservation districts were encouraged to adopt a name other than that of the county in which they were located, but the District has since found that the name causes confusion and inconvenience.

Ozona (unincorporated) is the only town in Crockett County but it is not included in the District boundaries. The District's original enabling legislation provides that elections must take place in the District. All other political subdivisions in Crockett County hold their elections at polling locations in Ozona. It is more convenient for voters and more likely to encourage voting in District elections for the District uses the same polling places as other political subdivisions. Further, the only practicable way for the District to comply with the requirements of Section 61.012, Election Code, relating to the requirement for voting stations accessible under 42 U.S.C 15481 (a) (3), is to enter into an inter-local agreement with the county to hold the District's elections. The county will only agree to do so if District voting can take place at the same locations. The legislation changes the District's election date to November, also for the purpose of allowing the District to contract with the county to hold its elections.

H.B. 4009 relates to the name, directors, and elections of the Emerald Underground Water Conservation 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 Chapter 712, Acts of the 71st Legislature, Regular Session, 1989 by adding Section 1A changing the name of the Emerald Underground Water Conservation District to the Crockett County Groundwater Conservation District.

SECTION 2. Strikes Emerald Underground Water and replaces it with the Crockett County Groundwater.

SECTION 3. Section 7, Chapter 712, Acts of the 71st Legislature is amended by adding Subsection (a-1) and amending Subsections (d) and (e) to conform the terms of directors to the proposed change in uniform election date and to update the relevant Code section numbers.

SECTION 4. Adds Sections 10A which changes the uniform election date to November, and Section 10B provides that a district election may be held at any location in Crockett County.

SECTION 5. Repeals sections 7(b) and (c) and 10, Chapter 712, Acts of the 71st Legislature, Regular Session, 1989.

SECTION 6. Relates to the election of the district directors.

SECTION 7. Relates to the legal notice of the intention to introduce this Act.

SECTION 8. Effective Date: September 1, 2007

**EFFECTIVE DATE**

September 1, 2007.