

BILL ANALYSIS

H.B. 4028
By: Geren
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas faces an important challenge to develop water policies that serve state and regional interests by ensuring a safe and stable water supply. The Texas Constitution authorizes the creation of groundwater conservation districts to plan, develop, and regulate the use of water. In 1997 the Texas Legislature added language to the Texas Water Code explicitly recognizing groundwater conservation districts as the recommended method of maintaining and controlling groundwater resources.

House Bill 4028 creates the Northern Trinity Groundwater Conservation District. The bill will help prepare Tarrant County for future growth by providing appropriate oversight to preserve groundwater quality and quantity.

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. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8820 to the Code. The new chapter relates to the Northern Trinity Groundwater Conservation District.

Sec. 8820.001 establishes definitions.

Sec. 8820.002 provides that the district is a groundwater conservation district in Tarrant County created under Section 59, Article XVI of the Texas Constitution.

Sec. 8820.003 sets the boundaries of the district. The district boundaries are coextensive with the boundaries of Tarrant County.

Sec. 8820.004 states that a confirmation election is not required.

Sec. 8820.005 through Sec. 8820.050 are reserved for future expansion of the chapter.

Sec. 8820.051 establishes that the district is governed by a board of directors. It sets the number of directors at five, and says that the directors will serve staggered four-year terms.

Sec. 8820.052 addresses the appointment of the directors by stating that Tarrant County Commissioners Court is required to appoint one director from each of the four commissioners precincts in the county to represent the precinct in which the director resides. The county judge of Tarrant County is required to appoint one director from within the district to represent the district at large.

Sec. 8820.053 calls for the appointment of initial directors within 45 days of the effective date of the chapter by the same guidelines as in Sec. 8820.052 and establishes a method for determining which directors serve for the first four years and which directors serve for the first two years. The section expires on September 1, 2014.

Sec. 8820.054 through Sec. 8820.100 are reserved for future expansion of the chapter.

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Sec. 8820.101 defines the district's powers and duties including Chapter 36, Water Code, applicable to groundwater conservation districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8820.102 prohibits the district from exercising the power of eminent domain.

Sec. 8820.103 through Sec. 8820.150 are reserved for future expansion of the chapter.

Sec. 8820.151 prohibits the district from imposing a tax or issuing bonds.

SECTION 2. Attests that legal notice of intent to introduce this Act was properly published and that the governor and the Texas Commission on Environmental Quality have fulfilled their obligations in relation to the Act. States that all constitutional, legal, and legislative requirements have been fulfilled and accomplished.

SECTION 3. Effective date: Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.