

BILL ANALYSIS

Senate Research Center

S.B. 1613
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State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 217 individual local soil and water conservation districts in Texas are political subdivisions of state government that are responsible for comprehensive natural resource conservation and protection. Each district has five board members (directors) elected to serve voluntarily by agricultural producers and property owners. The state has prohibited these districts from levying any tax and provides a limited amount of funding to these districts to carry out their duties or hire an attorney in the event a director or district is sued. The prospect of being sued and losing a farm or ranch by serving in an official capacity has led many directors to consider resigning their positions.

S.B. 1613 clarifies that soil and conservation districts are included under Chapter 102 (Tort Claims Payments by Local Governments), Civil Practice and Remedies Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 102.001, Civil Practice and Remedies Code, as follows:

Sec. 102.001. DEFINITIONS. Redefines "employee" to include a member of a governing board and redefines "local government" to include a soil and water conservation district.

SECTION 2. Provides that the amendment by this Act of Section 102.001, Civil Practice and Remedies Code, is intended to clarify rather than change the existing law.

SECTION 3. Effective date: upon passage or September 1, 2007.