Senate Research Center   C.S.S.B. 2007
80R17457 SGA-F   By: Hinojosa
                                                                                          Natural Resources
                                                                                                4/28/2007
                                                                             Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 2007 creates the Heart's Delight Groundwater Conservation District in Brooks County. This bill requires the Brooks County Commissioners Court to appoint four temporary directors to the district in each precinct of the county and requires the county judge to appoint two temporary directors to the district who resides in the district at large. This bill requires the directors, after the initial appointments, to be chosen by voters in Brooks County. Finally, this bill requires a confirmation election to be held to confirm the creation of the district and authorizes the board of directors of the district to impose a reasonable fee by rule on each well in the district and authorizes imposition of an ad valorem tax through levy of a maintenance tax.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of directors of the Heart's Delight Groundwater Conservation District in SECTION 1 (Section 8805.151, Special District Local Laws Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8805, as follows:

   CHAPTER 8805. HEART'S DELIGHT GROUNDWATER CONSERVATION DISTRICT

Sets forth the standard language for the creation of the Heart's Delight Groundwater Conservation District (district). Sets forth standards, procedures, requirements, and criteria for:

        Creation and approval of the district (Sections 8805.001 - 8805.020);

        Temporary provisions (Sections 8805.021 - 8805.030);

        Expansion of district territory and dissolution of district (Sections 8805.031 - 8805.050);

        Size, composition, election, and terms of the board of directors of the district (Sections 8805.051 - 8805.100);

        Powers and duties of the district (Sections 8805.101 - 8805.150); and

        General financial provisions, including the authority to impose a maintenance tax (Section 8805.151).

Authorizes the use of eminent domain by the district.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Requires the initial board of directors of the district to hold the first regularly scheduled election of directors of the district under Section 8805.053, Special District Local Laws Code, as added by this Act, on the uniform election date in May in the second even-numbered year following the year in which the district's creation is confirmed under Section 8805.023, Special District Local Laws Code, as added by this Act.

SECTION 4. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. Effective date: upon passage or September 1, 2007.