

By: Hardcastle

H.B. No. 3985

Substitute the following for H.B. No. 3985:

By: Puente

C.S.H.B. No. 3985

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the name, governing body, and boundaries of the  
3 Tri-County Groundwater Conservation District.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1(a), Chapter 1331, Acts of the 76th  
6 Legislature, Regular Session, 1999, is amended to read as follows:

7 (a) The following groundwater conservation districts are  
8 created:

- 9 (1) Cow Creek Groundwater Conservation District;
- 10 (2) Brazos Valley Groundwater Conservation District;
- 11 (3) Crossroads Groundwater Conservation District;
- 12 (4) Hays Trinity Groundwater Conservation District;
- 13 (5) Lone Wolf Groundwater Conservation District;
- 14 (6) Lost Pines Groundwater Conservation District;
- 15 (7) McMullen Groundwater Conservation District;
- 16 (8) Middle Pecos Groundwater Conservation District;
- 17 (9) Red Sands Groundwater Conservation District;
- 18 (10) Refugio Groundwater Conservation District;
- 19 (11) Southeast Trinity Groundwater Conservation  
20 District; and
- 21 (12) Texana Groundwater Conservation District [~~and~~
- 22 [~~(13) Tri-County Groundwater Conservation District~~].

23 SECTION 2. Section 2(a), Chapter 1331, Acts of the 76th  
24 Legislature, Regular Session, 1999, is amended to read as follows:

1           (a) The boundaries of the following groundwater  
2 conservation districts are coextensive with county boundaries as  
3 follows:

4           (1) the boundaries of the Cow Creek Groundwater  
5 Conservation District are coextensive with the boundaries of  
6 Kendall County;

7           (2) the boundaries of the Brazos Valley Groundwater  
8 Conservation District are coextensive with the boundaries of  
9 Robertson and Brazos Counties;

10          (3) the boundaries of the Crossroads Groundwater  
11 Conservation District are coextensive with the boundaries of  
12 Victoria County;

13          (4) the boundaries of the Lone Wolf Groundwater  
14 Conservation District are coextensive with the boundaries of  
15 Mitchell County;

16          (5) the boundaries of the Lost Pines Groundwater  
17 Conservation District are coextensive with the boundaries of  
18 Bastrop and Lee Counties, but if the voters of only one county  
19 confirm the creation of the district under Section 10 of this Act,  
20 the boundaries of the district are coextensive with the boundaries  
21 of that county;

22          (6) the boundaries of the McMullen Groundwater  
23 Conservation District are coextensive with the boundaries of  
24 McMullen County;

25          (7) the boundaries of the Middle Pecos Groundwater  
26 Conservation District are coextensive with the boundaries of Pecos  
27 County;

1 (8) the boundaries of the Refugio Groundwater  
2 Conservation District are coextensive with the boundaries of  
3 Refugio County; and

4 (9) the boundaries of the Texana Groundwater  
5 Conservation District are coextensive with the boundaries of  
6 Jackson County [~~and~~

7 [~~(10) the boundaries of the Tri-County Groundwater  
8 Conservation District are coextensive with the boundaries of Foard,  
9 Hardeman, and Wilbarger Counties~~].

10 SECTION 3. Section 2, Chapter 1352, Acts of the 77th  
11 Legislature, Regular Session, 2001, is amended to read as follows:

12 Sec. 2. DEFINITION. In this Act, "district" means the  
13 Gateway [~~Tri-County~~] Groundwater Conservation District.

14 SECTION 4. Section 3, Chapter 1352, Acts of the 77th  
15 Legislature, Regular Session, 2001, is amended to read as follows:

16 Sec. 3. BOUNDARIES. (a) The boundaries of the district are  
17 coextensive with the boundaries of Foard and [~~and~~] Hardeman [~~and~~  
18 ~~Wilbarger~~] counties.

19 (b) The district may add territory to the district as  
20 provided by Chapter 36, Water Code.

21 SECTION 5. Section 4(a), Chapter 1352, Acts of the 77th  
22 Legislature, Regular Session, 2001, is amended to read as follows:

23 (a) The district has all of the rights, powers, privileges,  
24 authority, functions, and duties provided by the general law of  
25 this state, including Chapter 36, Water Code, applicable to  
26 groundwater conservation districts created under Section 59,  
27 Article XVI, Texas Constitution. This Act prevails over any

1 provision of general law that is in conflict or inconsistent with  
2 this Act [~~, including any provision of Chapter 1331, Acts of the 76th~~  
3 ~~Legislature, Regular Session, 1999 (Senate Bill No. 1911)] .~~

4 SECTION 6. Section 5(a), Chapter 1352, Acts of the 77th  
5 Legislature, Regular Session, 2001, is amended to read as follows:

6 (a) The district is governed by a board of [~~six~~]  
7 in the manner provided by Section 36.051, Water Code.

8 SECTION 7. Section 7(a), Chapter 1352, Acts of the 77th  
9 Legislature, Regular Session, 2001, is amended to read as follows:

10 (a) The commissioners court of each county in the district  
11 shall appoint an equal number of [~~two~~]  
12 directors.

13 SECTION 8. Part 12, Chapter 966, Acts of the 77th  
14 Legislature, Regular Session, 2001, and Sections 1, 4(b), 5(b), 6,  
15 7(b) and (c), and 8, Chapter 1352, Acts of the 77th Legislature,  
16 Regular Session, 2001, are repealed.

17 SECTION 9. The board of directors of the Gateway  
18 Groundwater Conservation District shall hold an election under  
19 Section 36.328, Water Code, to annex territory to the district. If  
20 a majority of voters in the territory to be annexed vote in favor of  
21 the proposition:

22 (1) the territory is annexed; and

23 (2) the commissioners court of each county added to  
24 the district by the annexation shall appoint the appropriate number  
25 of directors, in accordance with Section 7(a), Chapter 1352, Acts  
26 of the 77th Legislature, Regular Session, 2001.

27 SECTION 10. (a) The legal notice of the intention to  
introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

6 (b) The governor, one of the required recipients, has  
7 submitted the notice and Act to the Texas Commission on  
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed  
10 its recommendations relating to this Act with the governor, the  
11 lieutenant governor, and the speaker of the house of  
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this  
14 state and the rules and procedures of the legislature with respect  
15 to the notice, introduction, and passage of this Act are fulfilled  
16 and accomplished.

17 SECTION 11. This Act takes effect immediately if it  
18 receives a vote of two-thirds of all the members elected to each  
19 house, as provided by Section 39, Article III, Texas Constitution.  
20 If this Act does not receive the vote necessary for immediate  
21 effect, this Act takes effect September 1, 2007.