

By: Geren

H.B. No. 4028

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Northern Trinity Groundwater Conservation District.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8820 to read as follows:

CHAPTER 8820. NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8820.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a board member.

(3) "District" means the Northern Trinity Groundwater Conservation District.

Sec. 8820.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Tarrant County created under Section 59, Article XVI, Texas Constitution.

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

Sec. 8820.004. CONFIRMATION ELECTION NOT REQUIRED. The board is not required to hold an election to confirm the district's creation.

[Sections 8820.005-8820.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8820.051. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five directors.

2 (b) Directors serve staggered four-year terms.

3 Sec. 8820.052. APPOINTMENT OF DIRECTORS. (a) The Tarrant
4 County Commissioners Court shall appoint one director from each of
5 the four commissioners precincts in the county to represent the
6 precinct in which the director resides.

7 (b) The county judge of Tarrant County shall appoint one
8 director who resides in the district to represent the district at
9 large.

10 Sec. 8820.053. INITIAL DIRECTORS. (a) Not later than the
11 45th day after the effective date of this chapter:

12 (1) the Tarrant County Commissioners Court shall
13 appoint one director from each of the four commissioners precincts
14 in the county to represent the precinct in which the director
15 resides; and

16 (2) the county judge of Tarrant County shall appoint
17 one director who resides in the district to represent the district
18 at large.

19 (b) The initial board may agree on which three directors
20 serve four-year terms that expire at the end of the calendar year
21 following the fourth anniversary of the effective date of this
22 chapter, and which two directors serve two-year terms that expire
23 at the end of the calendar year following the second anniversary of
24 the effective date of this chapter. If the initial board cannot
25 agree, the directors shall draw lots to determine which three
26 directors serve the four-year terms and which two directors serve
27 the two-year terms.

1 (c) This section expires September 1, 2014.

2 [Sections 8820.054-8820.100 reserved for expansion]

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 8820.101. GROUNDWATER CONSERVATION DISTRICT POWERS
5 AND DUTIES. The district has the powers and duties provided by the
6 general law of this state, including Chapter 36, Water Code,
7 applicable to groundwater conservation districts created under
8 Section 59, Article XVI, Texas Constitution.

9 Sec. 8820.102. NO EMINENT DOMAIN POWER. The district may
10 not exercise the power of eminent domain.

11 [Sections 8820.103-8820.150 reserved for expansion]

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

13 Sec. 8820.151. TAXES AND BONDS PROHIBITED. The district
14 may not impose a tax or issue bonds.

15 SECTION 2. (a) The legal notice of the intention to
16 introduce this Act, setting forth the general substance of this
17 Act, has been published as provided by law, and the notice and a
18 copy of this Act have been furnished to all persons, agencies,
19 officials, or entities to which they are required to be furnished
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
21 Government Code.

22 (b) The governor has submitted the notice and Act to the
23 Texas Commission on Environmental Quality.

24 (c) The Texas Commission on Environmental Quality has filed
25 its recommendations relating to this Act with the governor, the
26 lieutenant governor, and the speaker of the house of
27 representatives within the required time.

1 (d) All requirements of the constitution and laws of this
2 state and the rules and procedures of the legislature with respect
3 to the notice, introduction, and passage of this Act are fulfilled
4 and accomplished.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2007.