

BILL ANALYSIS

C.S.H.B. 1518
By: Corte
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Trinity Glen Rose Groundwater Conservation District is located within the northern crescent of Bexar County, between Loop 1604 and the county line, and within the corporate limits of the city of Fair Oaks Ranch, portions of which are in Comal and Kendall Counties. The district was created in 2001, has been confirmed, and has an approved management plan.

C.S.H.B. 1518 addresses the amount of fees that can be charged by the district and provides procedures relating to vacant and inhabited territory annexed by a municipality after an election in which the municipality chooses a groundwater conservation district.

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

C.S.H.B. 1518 amends Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001, to prohibit the Trinity Glen Rose Groundwater Conservation District from imposing a fee on non-exempt wells in the district in an amount greater than \$1 per acre-foot for water used for agricultural purposes, or \$40 per acre-foot for water used for any other purpose.

C.S.H.B. 1518 specifies that if a municipality, of which any part is located in the district, after an election to choose one groundwater conservation district to which it will belong, subsequently annexes vacant land that is not located in the groundwater conservation district chosen by the municipality, that land becomes part of the territory of the groundwater conservation district chosen in the election and is disannexed from any other groundwater conservation district in which the land is located.

C.S.H.B. 1518 provides that if a municipality that has held an election to choose one groundwater conservation district to which it will belong subsequently annexes inhabited land that is not located in the groundwater conservation district chosen by the municipality, the landowners of the annexed inhabited land may file a petition with the groundwater conservation district requesting inclusion in that district. The bill requires the petition to be signed by all the landowners of the land to be annexed by the groundwater conservation district, and if the affected landowners do not file a petition as provided by this subsection, the municipality shall hold an election in which the voters in the annexed inhabited land may choose the one groundwater conservation district of which the annexed land will be a part. The bill provides that any land annexed after the municipality's election to choose a district and before the effective date of the bill is part of the chosen district and disannexed from any other groundwater conservation district in which the land is located.

C.S.H.B. 1518 specifies that a disannexation of a groundwater conservation district's territory under these provisions does not diminish or impair the rights of the holders of any outstanding

and unpaid bonds, warrants, or other obligations of that groundwater conservation district. The bill specifies that such property is not released from its pro rata share of any indebtedness of that groundwater conservation district at the time of the disannexation and authorizes the groundwater conservation district to continue to tax the property until that debt is paid. The bill defines "inhabited land" and "vacant land."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1518 differs from the original by specifying that the land annexed after a municipality's election that becomes part of the territory of the groundwater conservation district chosen in the election is vacant land not located in the chosen groundwater conservation district. The substitute differs from the original by adding a procedure applicable to inhabited land annexed after such an election, specifying that the landowners of the annexed inhabited land may file a petition requesting inclusion in the district, or if the affected landowners do not file a petition, the municipality is required to hold an election in which the voters may choose the district of which the annexed land will be part. The substitute adds definitions not included in the original for "inhabited land" and "vacant land."