

BILL ANALYSIS

H.B. 4832
By: Rios Ybarra
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Kenedy County Groundwater Conservation District was created in 2003 through the enactment of Chapters 1152, relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District, and 1162, relating to the creation, administration, powers, duties, operation, and financing of the Kenedy County Groundwater Conservation District, Acts of the 78th Legislature, Regular Session, 2003, and encompasses all of Kenedy County and parts of Kleberg County. Since 2003, the district has expanded to include portions of Brooks, Hidalgo, Jim Wells, Nueces, and Willacy Counties.

Currently, the district is governed by a five-member board; four members elected from Kenedy County commissioners precincts and one elected from the boundaries of the Santa Gertrudis School District. As a result of expansion beyond Kenedy and Kleberg Counties, the election boundaries of the five-member board need to be adjusted to accurately represent the more current district boundaries.

H.B. 4832 divides the district into five single-member districts for electing directors of the 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

H.B. 4832 amends Chapters 1152 and 1162, Acts of the 78th Legislature, Regular Session, 2003, to require the board of directors of the Kenedy County Groundwater Conservation District to, as soon as practicable after the effective date of the bill, divide the district into five single-member districts for electing directors, and assign each of the existing board positions to one of the new single-member districts. The bill establishes that if the district annexes territory, the annexed territory becomes part of one or more of the single-member districts as determined by the board. The bill requires one director to be elected from each single-member district. The bill requires a person to be a registered voter in the single-member district the person represents or seeks to represent in order for that person to be a candidate for or to serve as a director. The bill requires a person to indicate on the application for a place on the ballot the single-member district the person seeks to represent.

H.B. 4832 authorizes the board of the district, after each federal decennial census or as needed, to redraw the single-member districts to reflect population changes. The bill requires a director in office on the effective date of a change in the boundaries of a single-member district, or a director elected or appointed before the effective date of the change whose term of office begins on or after the effective date of the change, to serve for the remainder of the director's term in the single-member district to which elected or appointed even though the change in boundaries places the director's residence outside the district to which the director was elected or appointed.

H.B. 4832 establishes that the bill's provisions do not affect the term of office of a director serving on the board of directors of the district on the effective date of the bill.

H.B. 4832 repeals Section 9, Chapter 1152, and Section 8, Chapter 1162, Acts of the 78th Legislature, Regular Session, 2003, regarding the method of electing directors of the district according to the commissioners precinct method.

EFFECTIVE DATE

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