

## **BILL ANALYSIS**

S.B. 848  
By: Nichols  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Anderson County Underground Water Conservation District (district) was created during the 70th Legislature, Regular Session, 1987, by S.B. 1518. The law provided that elections for the board of directors would be held in odd years, but elections eventually began to be held during even years.

Last summer, the Texas Legislative Council told the district president that district was out of compliance with the law and that the problem needed to be corrected. According to conversations between the district and the Office of the Secretary of State, the only way to get back into compliance was to introduce a bill to correct this error.

S.B. 848 requires that an election be held on the uniform election date in May every two years to elect the appropriate number of directors to the board of directors of the Anderson County Underground Water 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**

SECTION 1. Amends Section 9, Chapter 992, Acts of the 70th Legislature, Regular Session, 1987, as follows:

Sec. 9. ELECTION OF DIRECTORS. Requires that an election be held on the uniform election date in May every two years to elect the appropriate number of directors to the board of directors of the Anderson County Underground Water Conservation District. Deletes text requiring that beginning in the second year following the creation election an election be held on the third Saturday in May every two years to elect the appropriate number of directors to the board.

SECTION 2. (a) Provides that all governmental and proprietary actions of the Anderson County Underground Water Conservation District be taken before the effective date of this Act are validated, ratified, and confirmed in all respects as if the actions had been taken as authorized by law.

(b) Provides that this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or that has been held invalid by a final court judgment.

SECTION 3. Provides the effective date of this Act .

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.