

## **BILL ANALYSIS**

S.B. 2495  
By: Zaffirini  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Bee Groundwater Conservation District (district) was created in 1997 and is located wholly within the boundaries of Bee County, excluding the municipal boundaries of Beeville, the Pettus Municipal Utility District, and the Tynan Water Corporation service area. Groundwater conservation districts are constitutionally authorized to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs or their subdivisions, and to control subsidence caused by withdrawal of water from those groundwater reservoirs or their subdivisions. These districts are the state's preferred method of groundwater management.

The enabling statute that created the district established seven directors to be elected under single-member districts and provided that a person must own land somewhere in the groundwater district in order to be eligible to serve as a director. However, there is no requirement that a director own land within the single-member district from which he or she is elected and serves. This bill would enable the district to achieve equal representation for the ranchers and farmers under the district's jurisdiction.

S.B. 2495 requires a person to own land in the single-member district from which the person is elected to serve as a director.

### **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 8804.052(a), Special District Local Laws, to require a person to own land in the single-member district from which the person is elected to serve as a director.

SECTION 2. Makes application of Section 8804.052(a), Special District Local Laws Code, as amended by this Act prospective.

SECTION 3. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Provides the effective date of this Act

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the 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.