

BILL ANALYSIS

S.B. 2520
By: Duncan
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Santa Rita Underground Water Conservation District (district) was created by the legislature in 1989 to manage and conserve the groundwater resources of most of Reagan County. The district has identified revisions to be made to its enabling Act to update the process of director elections.

S.B. 2520 requires that an election be held in the district for the election of the appropriate number of directors on the uniform election date in May of each odd-numbered year. This bill also repeals a requirement that a person elected from a commissioner precinct be a resident of that precinct.

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 7, Chapter 653, Acts of the 71st Legislature, Regular Session, 1989, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Requires a director to be 18 years of age or older and a resident of the Santa Rita Underground Water Conservation District (district).

(f) Provides that Section 141.001(a)(5) (relating to requirement that to be eligible for candidacy in a public office in this state a person is required to have lived in the state for 12 months and in the territory from which the office is elected for six months), Election Code, and Section 36.059(b) (relating to requirement of the directors of the district to be elected according to certain precinct methods), Water Code, do not apply to the district.

SECTION 2. Amends Section 10(b), Chapter 653, Acts of the 71st Legislature, Regular Session, 1989, as follows:

(b) Requires that an election be held in the district for the election of the appropriate number of directors on the uniform election date in May of each odd-numbered year, rather than on the first Saturday in May of the second year after the year in which the district is authorized to be created at a confirmation election. Deletes existing text requiring directors elected from district precincts two and four to each serve two-year terms and directors elected from district precincts one and three and the district at large to each serve four-year terms, and requiring that thereafter, on the same date in each subsequent second year, the appropriate number of directors be elected to the board of directors of the district.

SECTION 3. Repeals Section 10(c) (relating to a requirement that a person elected from a commissioner precinct be a resident of that precinct), Chapter 653, Acts of the 71st Legislature, Regular Session, 1989.

SECTION 4. 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 5. 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.