

BILL ANALYSIS

Senate Research Center
82R5477 PMO-D

H.B. 1060
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A recent legal opinion regarding the status of land in one groundwater conservation district that is later included in special legislation creating another groundwater conservation district dealt with the issue of two different political subdivisions exercising jurisdiction over the same territory at the same time and for the same purposes.

H.B. 1060 seeks to conform to this recent interpretation. The Barton Springs-Edwards Aquifer Conservation District included a parcel of land in Bastrop County by virtue of its being part of a certain service area. Subsequently, the Texas Legislature created another conservation district within the jurisdictional area of all of Bastrop County, resulting in land overlapping in the two districts that have the same purpose.

H.B. 1060 removes the Bastrop County land from the Barton Springs-Edwards Aquifer Conservation District's territorial boundaries, with such land remaining in another conservation district.

H.B. 1060 amends current law relating to the de-annexation of land in Bastrop County by the Barton Springs-Edwards Aquifer Conservation District.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires the board of the Barton Springs-Edwards Aquifer Conservation District, not later than the 30th day after the effective date of this Act, to declare by resolution that the territory described by Section 2 of this Act is excluded from the territory of the Barton Springs-Edwards Aquifer Conservation District. Requires the board to file a copy of the resolution in the office of the county clerk of the county in which the excluded territory is located. Requires the county clerk to record the resolution in the county records. Provides that on the date the resolution is recorded, the excluded territory is no longer part of that district.

SECTION 2. Sets forth the boundaries of the territory to be de-annexed by the Barton Springs-Edwards Aquifer Conservation District under this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.