

## **BILL ANALYSIS**

H.B. 1060  
By: Kleinschmidt  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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.

### **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. 1060 requires the board of the Barton Springs-Edwards Aquifer Conservation District, not later than the 30th day after the bill's effective date, to declare by resolution that certain territory, as specified in detail in the bill, is excluded from the territory of the Barton Springs-Edwards Aquifer Conservation District. The bill 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 and requires the county clerk to record the resolution in the county records. The bill establishes that the excluded territory is no longer part of that district on the date the resolution is recorded.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.