

BILL ANALYSIS

H.B. 3805
By: Morrison
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, directors of the Texana Groundwater Conservation District are elected in May. H.B. 3805 seeks to change the election date of district directors and address issues regarding district eminent domain powers and authority to contract with a river authority.

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. 3805 amends Chapters 307 and 966, Acts of the 77th Legislature, Regular Session, 2001, to change the date of the directors election for the Texana Groundwater Conservation District from the first Saturday in May of each even-numbered year to the uniform election date in November of each even-numbered year. The bill prohibits the district from exercising the powers granted by statutory groundwater conservation district provisions relating to eminent domain. The bill prohibits the district from contracting with a river authority to perform district functions except as provided by the Interlocal Cooperation Act.

H.B. 3805 requires a member of the board of directors of the district who is serving as a director on the day before the bill's effective date to serve until the director's term expires. The bill requires a director whose term expires in May 2012 to continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2012 and requires a director whose term expires in May 2014 to continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2014.

H.B. 3805 validates, ratifies, and confirms all governmental acts and proceedings of the district relating to the election or appointment of members of the board of directors of the district that were taken before the bill's effective date in all respects as if they had been taken as authorized by law. The bill makes such validation, ratification, and confirmation inapplicable to any matter that on the bill's effective date is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or to any matter that on the bill's effective date has been held invalid by a final court judgment.

H.B. 3805 makes conforming changes.

EFFECTIVE DATE

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