

## **BILL ANALYSIS**

H.B. 3821  
By: Eiland  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County is an existing special district recently created by the legislature. H.B. 3821 seeks to eliminate the deadline for a confirmation election by establishing provisions relating to temporary directors and the continuation in existence of the 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. 3821 amends the Special District Local Laws Code to establish that the temporary directors of the Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County serve until the fourth anniversary of the effective date of provisions relating to the district, if earlier than the date initial directors are elected. The bill, if initial directors have not been elected and the terms of the temporary directors have expired, requires successor temporary directors to be appointed or reappointed to serve terms that expire on the earlier of the date initial directors are elected or the fourth anniversary of the date of the appointment or reappointment. The bill authorizes the owner or owners of a majority of the assessed value of the real property in the district, if successor temporary directors are required to be appointed or reappointed, to submit a petition to the Texas Commission on Environmental Quality (TCEQ) requesting that TCEQ appoint as successor temporary directors the five persons named in the petition. The bill requires TCEQ to appoint as successor temporary directors the five persons named in the petition.

H.B. 3821 repeals a provision, if the creation of the district is not confirmed at a confirmation election before September 1, 2011, providing for the dissolution of the district on such date and for the expiration of provisions relating to the district on September 1, 2014. The bill repeals a provision providing for the expiration of temporary provisions relating to temporary directors, an organizational meeting of temporary directors, a confirmation and initial directors' election, and terms of initial elected directors on September 1, 2014.

H.B. 3821 establishes that the district is continued in existence and is not dissolved September 1, 2011, regardless of whether a provision providing for the dissolution of the district on such date and the expiration of district provisions if the creation of the district is not confirmed before such date is repealed on the same day that the bill's provisions take effect.

H.B. 3821 makes conforming changes.

H.B. 3821 repeals Sections 9027.003 and 9027.025, Special District Local Laws Code.

**EFFECTIVE DATE**

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