

BILL ANALYSIS

S.B. 292
By: Watson
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The legislation creating the Barton Springs-Edwards Aquifer Conservation District calls for single member board districts, two of which are urban districts that lie within the boundaries of the city limits of Austin and the other three, outside those boundaries. As the City of Austin annexes territory, the city limits of Austin grow out of alignment with urban board members districts and also create an increasingly unbalanced population between the urban and non-urban director precincts; therefore, a static designation for the urban board member district boundaries is optimal.

S.B. 292 designates a static boundary within the city limits of Austin for the two urban board districts of the Barton Springs-Edwards Aquifer Conservation District. It preserves the intent of the enabling legislation that a majority of the board will be from the less urban, groundwater-using precincts. As proposed, S.B. 292 amends current law relating to changes in the single-member district boundaries of 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.

ANALYSIS

SECTION 1. Amends Section 8802.053, Special District Local Laws Code, by amending Subsection (c) and adding Subsection (c-1), as follows:

(c) Requires the board of directors of the Barton Springs-Edwards Aquifer Conservation District (board), as soon as practicable after the publication of each federal decennial census, to revise the single-member districts as the board considers appropriate to reflect population changes.

(c-1) Creates this subsection from existing text. Provides that, in this subsection, a reference to highway, street, road, avenue, boulevard and lane means the center line of that highway, street, road, avenue, boulevard or lane. Requires the board, when the board revises the single-member districts, to place two of the districts wholly within a certain territory. Sets forth the description of the territory. Deletes existing text requiring the board to place two of the districts within certain territorial boundaries. Makes nonsubstantive changes.

SECTION 2. Amends Subchapter B, Chapter 8802, Special District Local Laws Code, by adding Section 8802.054, as follows:

Sec. 8802.054. APPLICABILITY OF OTHER LAW. Provides that Section 36.059(b) (relating to the election of the directors of a groundwater conservation district), Water Code, does not apply to the Barton Springs-Edwards Aquifer Conservation District. SRC-JDL, JXS S.B. 292 82(R) - PROD Page 2 of 2

SECTION 3. Repealer: Section 8802.051(b) (relating to requiring at least two directors of the board to be elected by voters residing in the City of Austin), Special District Local Laws Code.
Repealer: Section 8802.053(d) (relating to changes in the boundaries of the city of Austin between revisions of the single-member districts under Subsection (c) not affecting the boundaries of the single-member districts), Special District Local Laws Code.

SECTION 4. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

(b) Provides that the governor has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) 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 of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2011.