

BILL ANALYSIS

Senate Research Center

S.B. 512
By: Hegar
Natural Resources
7/25/2011
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 80th Legislature, Regular Session, 2007, passed H.B. 2984, which required that in order to qualify for election as a supervisor of a fresh water supply district, a person must own land within the boundaries of a fresh water supply district and removed the requirement that the supervisor be a resident voter of the district. Previously only a resident voter could serve on the board of a fresh water supply district. Other similar districts—water control and improvement districts and municipal utility districts—require only that the director be a landowner within the district boundaries.

During the interim, there was a voting rights challenge by the United States Department of Justice (DOJ) to H.B. 2984 and the creation of the freshwater supply district was not pre-cleared for election by DOJ.

S.B. 512 amends the language of H.B. 2984 to answer the concerns raised by DOJ. It requires that in order to qualify as a supervisor of a fresh water supply district, the person must either own taxable property in the district or be a registered voter of the district, thus removing any minority voting rights concerns.

S.B. 512 amends current law relating to the qualification of supervisors of a fresh water supply 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. Amends Section 53.063(a), Water Code, to provide that, except as provided by Subsection (b) (relating to requiring a person to be qualified for election as a supervisor of a district located wholly or partly in Denton County to be a registered voter in the district), to be qualified for election as a supervisor a person must be a resident of this state, the owner of taxable property in the district, and at least 18 years of age, or a person must be a registered voter of the district.

SECTION 2. Effective date: September 1, 2011.