

BILL ANALYSIS

S.B. 512
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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 would amend the language of H.B. 2984 to answer the concerns raised by DOJ. It would require 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.

As proposed, 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.

ANALYSIS

SECTION 1. Amends Section 53.063(a), Water Code, as follows:

(a) Provides that, except as provided by Subsection (b), 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 to be a registered voter of the district.

SECTION 2. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2011.