

BILL ANALYSIS

S.B. 1290
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Constitution authorizes the creation of groundwater conservation districts to manage and conserve groundwater. Each political subdivision in Calhoun County believes that there is a public necessity for such a district in order to properly manage groundwater in the county.

S.B. 1290 creates the Calhoun County Groundwater Conservation District (district) to manage groundwater in district territory. The bill authorizes the district to impose certain reasonable well fees and prohibits the district from imposing a tax. The bill prohibits the district from exercising the power of eminent domain.

S.B. 1290 amends current law relating to the creation of the Calhoun County Groundwater Conservation 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

SECTION 1. Amends Subtitle H, Title 6, Special District Local Laws Code, by adding Chapter 8860, as follows:

CHAPTER 8860. CALHOUN COUNTY GROUNDWATER CONSERVATION DISTRICT

Sets forth standard language for the creation of Calhoun County Groundwater Conservation District (district) in Calhoun County. Sets forth standards, procedures, requirements, and criteria for:

General provisions, including the nature of the district, the requirement to confirm the creation of the district by election, the initial district territory, and the construction of this chapter (Sections 8860.001-8860.020);

Creation and approval of the district, naming and powers of initial directors of the district, and requirements related to the confirmation election for the creation of the district (Sections 8860.021-8860.050);

Size, composition, appointment, eligibility, compensation, and reimbursement of expenses for the board of directors (Sections 8860.051-8860.100);

Powers and duties of the district (Sections 8860.101-8860.150); and

General financial provisions, prohibits the district from imposing a tax, and authorizes the district to impose fees (Sections 8860.151-8860.152).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Provides that all requirements of the constitution and the 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 3. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2011.