

BILL ANALYSIS

H.B. 3889
By: Darby
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the Lipan Creek Flood Control District was formed several decades ago to build flood control dams in Tom Green and Concho Counties and that the district initially collected taxes. However, due to disputes as to where the dams would be constructed, no dams were ever built, and the district's funds have been used to operate a shell district ever since. The parties contend that, because a separate water conservation district has been created in the area with the authority to regulate groundwater and build dams as needed, there is no longer any need for the Lipan Creek Flood Control District. The district's board recently determined that the costs of continuing to comply with various recording and notice requirements is a waste of taxpayer money and has requested that the legislature dissolve the district. H.B. 3889 seeks to address this issue.

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. 3889, on its effective date, dissolves the Lipan Creek Flood Control District; establishes that the terms of the district's directors expire; and transfers any assets of the district, including any tax or assessment revenue, that remain after payment of the district's liabilities to Concho and Tom Green Counties, in the proportion that the area of each county located in the district's territory bears to the total area of the district. The bill repeals the district's enacting legislation and provisions governing the terms of office of the district's directors.

H.B. 3889 repeals Chapter 628, Acts of the 59th Legislature, Regular Session, 1965, and Chapter 473, Acts of the 67th Legislature, Regular Session, 1981.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.