

BILL ANALYSIS

H.B. 3915
By: Morrison
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law provides for the creation of groundwater conservation districts to manage and conserve groundwater. Interested parties note that recent legislation created the Calhoun County Groundwater Conservation District, based on the belief of political subdivisions in Calhoun County that there was a public necessity for a groundwater conservation district in order to properly manage and conserve groundwater in the county. That legislation prohibits the district from imposing a tax and required the district's temporary directors to order a district confirmation election to be held not later than September 1, 2012. The parties note, however, that the district's temporary directors failed to order such an election by the deadline. As a result, H.B. 3915 seeks to extend the deadline for the district confirmation election and to provide authority for the imposition of a voter-approved tax.

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. 3915 amends the Special District Local Laws Code to remove language that prohibits the Calhoun County Groundwater Conservation District from imposing a tax and that establishes that the district does not have the authority granted by certain statutory groundwater conservation district provisions relating to taxes. The bill instead caps a district property tax at a rate of two cents on each \$100 valuation of taxable property in the district and requires such a tax to first be approved by the voters of the district at the district's confirmation election or at a separate election held in accordance with certain applicable statutory provisions.

H.B. 3915 removes the deadline of October 1, 2011, by which the temporary district directors are required to meet and order a district confirmation election, and extends from September 1, 2012, to December 31, 2016, the deadline by which such an election must be held. The bill removes the requirement that the ballot for the confirmation election be printed to provide for voting for or against, in part, the imposition of a fee to pay the maintenance and operating costs of the district and instead authorizes the ballot to include a provision to vote for or against the district's imposition of a property tax or such a fee. The bill provides for the validation and confirmation of certain actions and proceedings of the Calhoun County Commissioners Court relating to the appointment of temporary district directors and of the district taken before the bill's effective date.

EFFECTIVE DATE

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