

BILL ANALYSIS

S.B. 856
By: Rodríguez
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 832, passed by the 82nd Legislature, Regular Session, 2011, brought the El Paso County Water Improvement District No. 1 (district) in line with the majority of other irrigation districts in Texas.

The district was formed in 1917 and exists to provide irrigation water to agricultural land; it does not provide any potable water or sewer services. The district is a special purpose district with taxes paid only by those people who own irrigable land in the district and receive irrigable water.

S.B. 832 reserved voting rights in the district to a person who is 18 years of age or older, is a United States citizen, holds title to or an interest in title to irrigable land within the boundaries of the district, and receives and uses irrigation water delivered through the district's canal system.

In addition, S.B. 832 required the district to publish notice of the voter eligibility and registration requirements between 90 and 60 days before an election and to provide a list of certified voters to the El Paso County elections office 25 days prior to any election.

As filed, S.B. 856 continues these efforts to ensure integrity of the district's elections as well as increase transparency of the district's operations. The bill requires the district to contract with El Paso County to run the district's elections. In addition, S.B. 856 requires the district to post the district board of directors' campaign finance reports, meeting agendas, meeting minutes, archived video and audio recordings of meetings, and the district's budget and any audits on the district's Internet website.

As proposed, S.B. 856 amends current law relating to the administration and management of elections and public information of the El Paso County Water Improvement District No. 1.

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 Section 9303.001, Special District Local Laws Code, as follows:

Sec. 9303.001. New heading: DEFINITIONS. Defines in this chapter "board" and "director." Makes a nonsubstantive change.

SECTION 2. Amends Subchapter B, Chapter 9303, Special District Local Laws Code, by adding Sections 9303.053 and 9303.054, as follows:

Sec. 9303.053. ADMINISTRATION OF ELECTIONS. (a) Requires the El Paso County Water Improvement District No. 1 (district) to contract with the elections administrator of El Paso County to conduct an election held by the district.

(b) Requires the district to pay the costs of an election conducted under Subsection (a).

Sec. 9303.054. PUBLIC INFORMATION. (a) Requires the district to maintain an Internet website.

(b) Requires the district's board of directors to make available on the district's Internet website certain records and information.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2013.