AN ACT

relating to the McMullen Groundwater Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8874 to read as follows:

CHAPTER 8874. MCMULLEN GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8874.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a board member.

(3) "District" means the McMullen Groundwater Conservation District.

Sec. 8874.002. NATURE OF DISTRICT. The district is a groundwater conservation district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8874.003. FINDINGS OF PUBLIC USE AND BENEFIT.

(a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

Sec. 8874.004. DISTRICT TERRITORY. The district's boundaries are coextensive with the boundaries of McMullen County.
unless the district's territory has been modified under:

(1) Subchapter J, Chapter 36, Water Code; or
(2) other law.

Sec. 8874.005. DISTRICT NAME CHANGE. The board may change the district's name when the district annexes territory.

[Sections 8874.006-8874.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8874.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Sec. 8874.052. ELECTION OF DIRECTORS. (a) Directors are elected according to the commissioners precinct method as provided by this section.

(b) One director is elected by the voters of the entire district. One director is elected from each county commissioners precinct by the voters of that precinct.

(c) A person shall indicate on the application for a place on the ballot:

(1) the precinct that the person seeks to represent;

or

(2) that the person seeks to represent the district at large.

(d) When the boundaries of the county commissioners precincts are changed, each director in office on the effective date of the change or elected to a term of office beginning on or after the effective date of the change serves in the precinct to which the director was elected for the entire term to which the director was elected.
director was elected, even though the change in boundaries places
the person's residence outside the precinct for which the person
was elected.

Sec. 8874.053. ELECTION DATE. On the uniform election date
in November of each odd-numbered year, the appropriate number of
directors shall be elected.

Sec. 8874.054. QUALIFICATIONS FOR OFFICE. (a) To be
qualified to be a candidate for or to serve as director at large, a
person must be a registered voter in the district.

(b) To be a candidate for or to serve as director from a
county commissioners precinct, a person must be a registered voter
of that precinct, except as provided by Section 8874.052(d).

(c) A person is not eligible to serve as a director unless
the person owns land in the district.

Sec. 8874.055. BOARD VACANCY. If there is a vacancy on the
board, the remaining directors shall appoint a director to serve
the remainder of the term.

[Sections 8874.056-8874.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8874.101. GROUNDWATER CONSERVATION DISTRICT POWERS
AND DUTIES. The district has the rights, powers, privileges,
functions, and duties provided by the general law of this state,
including Chapter 36, Water Code, applicable to groundwater
conservation districts created under Section 59, Article XVI, Texas
Constitution.

[Sections 8874.102-8874.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
Sec. 8874.151. LIMITATION ON TAXES. The district may not impose an ad valorem tax at a rate that exceeds five cents on each $100 valuation of taxable property in the district.

SECTION 2. Subsection (a), Section 1, Chapter 1331 (S.B. 1911), Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(a) The following groundwater conservation districts are created:

(1) Crossroads Groundwater Conservation District;

(2) [McMullen Groundwater Conservation District;

(3) ] Red Sands Groundwater Conservation District;

and

(3) ] Southeast Trinity Groundwater Conservation District.

SECTION 3. Subsection (a), Section 2, Chapter 1331 (S.B. 1911), Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(a) The boundaries of the following groundwater conservation districts are coextensive with county boundaries as follows:

(1) the boundaries of the Crossroads Groundwater Conservation District are coextensive with the boundaries of Victoria County[; and

(2) the boundaries of the McMullen Groundwater Conservation District are coextensive with the boundaries of McMullen County].

SECTION 4. The following statutes are repealed:
S.B. No. 1012

(1) Part 6, Article 3, Chapter 966 (Senate Bill No. 2), Acts of the 77th Legislature, Regular Session, 2001; and

(2) Chapter 1378 (Senate Bill No. 1764), Acts of the 77th Legislature, Regular Session, 2001.

SECTION 5. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and 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 6. This Act takes effect September 1, 2013.
S.B. No. 1012

President of the Senate              Speaker of the House

I hereby certify that S.B. No. 1012 passed the Senate on April 8, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1012 passed the House on May 17, 2013, by the following vote: Yeas 134, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor