

1-1 By: Zaffirini S.B. No. 1012
 1-2 (In the Senate - Filed March 1, 2013; March 12, 2013, read
 1-3 first time and referred to Committee on Natural Resources;
 1-4 March 27, 2013, reported favorably by the following vote:
 1-5 Yeas 10, Nays 0; March 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the McMullen Groundwater Conservation District.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subtitle H, Title 6, Special District Local Laws
 1-24 Code, is amended by adding Chapter 8874 to read as follows:
 1-25 CHAPTER 8874. MCMULLEN GROUNDWATER CONSERVATION DISTRICT
 1-26 SUBCHAPTER A. GENERAL PROVISIONS
 1-27 Sec. 8874.001. DEFINITIONS. In this chapter:
 1-28 (1) "Board" means the district's board of directors.
 1-29 (2) "Director" means a board member.
 1-30 (3) "District" means the McMullen Groundwater
 1-31 Conservation District.
 1-32 Sec. 8874.002. NATURE OF DISTRICT. The district is a
 1-33 groundwater conservation district created under and essential to
 1-34 accomplish the purposes of Section 59, Article XVI, Texas
 1-35 Constitution.
 1-36 Sec. 8874.003. FINDINGS OF PUBLIC USE AND BENEFIT.
 1-37 (a) The district is created to serve a public use and benefit.
 1-38 (b) All land and other property included in the district
 1-39 will benefit from the works and projects accomplished by the
 1-40 district under the powers conferred by Section 59, Article XVI,
 1-41 Texas Constitution.
 1-42 Sec. 8874.004. DISTRICT TERRITORY. The district's
 1-43 boundaries are coextensive with the boundaries of McMullen County
 1-44 unless the district's territory has been modified under:
 1-45 (1) Subchapter J, Chapter 36, Water Code; or
 1-46 (2) other law.
 1-47 Sec. 8874.005. DISTRICT NAME CHANGE. The board may change
 1-48 the district's name when the district annexes territory.
 1-49 [Sections 8874.006-8874.050 reserved for expansion]
 1-50 SUBCHAPTER B. BOARD OF DIRECTORS
 1-51 Sec. 8874.051. COMPOSITION OF BOARD; TERMS. (a) The
 1-52 district is governed by a board of five directors.
 1-53 (b) Directors serve staggered four-year terms.
 1-54 Sec. 8874.052. ELECTION OF DIRECTORS. (a) Directors are
 1-55 elected according to the commissioners precinct method as provided
 1-56 by this section.
 1-57 (b) One director is elected by the voters of the entire
 1-58 district. One director is elected from each county commissioners
 1-59 precinct by the voters of that precinct.
 1-60 (c) A person shall indicate on the application for a place
 1-61 on the ballot:

2-1 (1) the precinct that the person seeks to represent;
2-2 or
2-3 (2) that the person seeks to represent the district at
2-4 large.

2-5 (d) When the boundaries of the county commissioners
2-6 precincts are changed, each director in office on the effective
2-7 date of the change or elected to a term of office beginning on or
2-8 after the effective date of the change serves in the precinct to
2-9 which the director was elected for the entire term to which the
2-10 director was elected, even though the change in boundaries places
2-11 the person's residence outside the precinct for which the person
2-12 was elected.

2-13 Sec. 8874.053. ELECTION DATE. On the uniform election date
2-14 in November of each odd-numbered year, the appropriate number of
2-15 directors shall be elected.

2-16 Sec. 8874.054. QUALIFICATIONS FOR OFFICE. (a) To be
2-17 qualified to be a candidate for or to serve as director at large, a
2-18 person must be a registered voter in the district.

2-19 (b) To be a candidate for or to serve as director from a
2-20 county commissioners precinct, a person must be a registered voter
2-21 of that precinct, except as provided by Section 8874.052(d).

2-22 (c) A person is not eligible to serve as a director unless
2-23 the person owns land in the district.

2-24 Sec. 8874.055. BOARD VACANCY. If there is a vacancy on the
2-25 board, the remaining directors shall appoint a director to serve
2-26 the remainder of the term.

2-27 [Sections 8874.056-8874.100 reserved for expansion]

2-28 SUBCHAPTER C. POWERS AND DUTIES

2-29 Sec. 8874.101. GROUNDWATER CONSERVATION DISTRICT POWERS
2-30 AND DUTIES. The district has the rights, powers, privileges,
2-31 functions, and duties provided by the general law of this state,
2-32 including Chapter 36, Water Code, applicable to groundwater
2-33 conservation districts created under Section 59, Article XVI, Texas
2-34 Constitution.

2-35 [Sections 8874.102-8874.150 reserved for expansion]

2-36 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2-37 Sec. 8874.151. LIMITATION ON TAXES. The district may not
2-38 impose an ad valorem tax at a rate that exceeds five cents on each
2-39 \$100 valuation of taxable property in the district.

2-40 SECTION 2. Subsection (a), Section 1, Chapter 1331 (S.B.
2-41 1911), Acts of the 76th Legislature, Regular Session, 1999, is
2-42 amended to read as follows:

2-43 (a) The following groundwater conservation districts are
2-44 created:

- 2-45 (1) Crossroads Groundwater Conservation District;
- 2-46 (2) [McMullen Groundwater Conservation District,
- 2-47 ~~(3)] Red Sands Groundwater Conservation District;~~

2-48 and
2-49 (3) ~~(4)] Southeast Trinity Groundwater Conservation~~

2-50 District.
2-51 SECTION 3. Subsection (a), Section 2, Chapter 1331 (S.B.
2-52 1911), Acts of the 76th Legislature, Regular Session, 1999, is
2-53 amended to read as follows:

2-54 (a) The ~~[boundaries of the following groundwater~~
2-55 ~~conservation districts are coextensive with county boundaries as~~
2-56 ~~follows:~~

2-57 ~~[(1) the] boundaries of the Crossroads Groundwater~~
2-58 ~~Conservation District are coextensive with the boundaries of~~
2-59 ~~Victoria County[, and~~

2-60 ~~[(2) the boundaries of the McMullen Groundwater~~
2-61 ~~Conservation District are coextensive with the boundaries of~~
2-62 ~~McMullen County].~~

2-63 SECTION 4. The following statutes are repealed:

2-64 (1) Part 6, Article 3, Chapter 966 (Senate Bill No. 2),
2-65 Acts of the 77th Legislature, Regular Session, 2001; and

2-66 (2) Chapter 1378 (Senate Bill No. 1764), Acts of the
2-67 77th Legislature, Regular Session, 2001.

2-68 SECTION 5. (a) The legal notice of the intention to
2-69 introduce this Act, setting forth the general substance of this

3-1 Act, has been published as provided by law, and the notice and a
3-2 copy of this Act have been furnished to all persons, agencies,
3-3 officials, or entities to which they are required to be furnished
3-4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3-5 Government Code.

3-6 (b) The governor, one of the required recipients, has
3-7 submitted the notice and Act to the Texas Commission on
3-8 Environmental Quality.

3-9 (c) The Texas Commission on Environmental Quality has filed
3-10 its recommendations relating to this Act with the governor, the
3-11 lieutenant governor, and the speaker of the house of
3-12 representatives within the required time.

3-13 (d) All requirements of the constitution and laws of this
3-14 state and the rules and procedures of the legislature with respect
3-15 to the notice, introduction, and passage of this Act are fulfilled
3-16 and accomplished.

3-17 SECTION 6. This Act takes effect September 1, 2013.

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