

By: Perry

S.B. No. 1336

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties, the construction of laws, and the election dates of certain groundwater conservation districts.

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

SECTION 1. CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT. Section 6(a), Chapter 524, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(a) The district has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapter 36 [~~Chapters 50 and 52~~], Water Code, applicable to groundwater [~~underground water~~] conservation districts created under Article XVI, Section 59, of the Texas Constitution. This Act prevails over any provision of general law that is in conflict or inconsistent with this Act.

SECTION 2. CROCKETT COUNTY GROUNDWATER CONSERVATION DISTRICT. Section 6, Chapter 712, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Subsection (c) to read as follows:

(c) If there is a conflict between Chapters 36 and 49, Water Code, Chapter 36 prevails.

SECTION 3. MESA UNDERGROUND WATER CONSERVATION DISTRICT.

(a) Section 6, Chapter 669, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Subsection (c) to read as follows:

1 (c) If there is a conflict between Chapter 36 and another
2 chapter that applies to the district, Chapter 36 prevails.

3 (b) Section 10, Chapter 669, Acts of the 71st Legislature,
4 Regular Session, 1989, is amended to read as follows:

5 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
6 date [~~first Saturday~~] in May of each even-numbered year [~~the second~~
7 ~~year after the year in which the district is authorized to be~~
8 ~~created at a confirmation election~~], an election shall be held in
9 the district to elect the appropriate number [~~for the election~~] of
10 directors. [~~Directors elected from commissioner precincts 2 and 4~~
11 ~~shall each serve two-year terms and directors elected from~~
12 ~~commissioner precincts 1 and 3 and the district at large shall each~~
13 ~~serve four-year terms. Thereafter, on the same date in each~~
14 ~~subsequent second year, the appropriate number of directors shall~~
15 ~~be elected to the board.~~]

16 SECTION 4. SANDY LAND UNDERGROUND WATER CONSERVATION
17 DISTRICT. (a) Section 6, Chapter 673, Acts of the 71st
18 Legislature, Regular Session, 1989, is amended by adding Subsection
19 (c) to read as follows:

20 (c) If there is a conflict between Chapters 36 and 49, Water
21 Code, Chapter 36 prevails.

22 (b) Section 10, Chapter 673, Acts of the 71st Legislature,
23 Regular Session, 1989, is amended to read as follows:

24 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
25 date [~~first Saturday~~] in May of every other [~~the second year after~~
26 ~~the year in which the district is authorized to be created at a~~
27 ~~confirmation election, an election shall be held in the district~~

1 ~~for the election of two directors who shall each serve two-year~~
2 ~~terms and three directors who shall each serve four-year terms.~~
3 ~~Thereafter, on the same date in each subsequent second] year, the~~
4 appropriate number of directors shall be elected to the board.

5 SECTION 5. SANTA RITA UNDERGROUND WATER CONSERVATION
6 DISTRICT. Section 6(a), Chapter 653, Acts of the 71st Legislature,
7 Regular Session, 1989, is amended to read as follows:

8 (a) The district has all of the rights, powers, privileges,
9 authority, functions, and duties provided by the general law of
10 this state, including Chapter 36 [~~Chapters 50 and 52~~], Water Code,
11 applicable to groundwater [~~underground water~~] conservation
12 districts created under Article XVI, Section 59, of the Texas
13 Constitution. This Act prevails over any provision of general law
14 that is in conflict or inconsistent with this Act.

15 SECTION 6. SARATOGA UNDERGROUND WATER CONSERVATION
16 DISTRICT. Section 6, Chapter 519, Acts of the 71st Legislature,
17 Regular Session, 1989, is amended by adding Subsection (c) to read
18 as follows:

19 (c) If there is a conflict between Chapters 36 and 49, Water
20 Code, Chapter 36 prevails.

21 SECTION 7. SOUTH PLAINS UNDERGROUND WATER CONSERVATION
22 DISTRICT. (a) Section 5, Chapter 46, Acts of the 72nd
23 Legislature, Regular Session, 1991, is amended by adding Subsection
24 (c) to read as follows:

25 (c) If there is a conflict between Chapters 36 and 49, Water
26 Code, Chapter 36 prevails.

27 (b) Section 11, Chapter 46, Acts of the 72nd Legislature,

1 Regular Session, 1991, is amended to read as follows:

2 Sec. 11. ELECTION OF DIRECTORS. On the uniform election
3 date [~~first Saturday~~] in May of even-numbered years [~~the second~~
4 ~~year after the year in which the district is authorized to be~~
5 ~~created at a confirmation election~~], an election shall be held in
6 the district to elect the appropriate number [~~for the election~~] of
7 [~~the~~] directors [~~for Precinct Nos. 1 and 3, who shall each serve~~
8 ~~two-year terms, and the directors for Precinct Nos. 2 and 4 and for~~
9 ~~the district at large, who shall each serve four-year terms.~~
10 ~~Thereafter, on the same date in each subsequent second year, the~~
11 ~~appropriate number of directors shall be elected to the board~~].

12 SECTION 8. SUTTON COUNTY UNDERGROUND WATER CONSERVATION
13 DISTRICT. (a) Section 15(e), Chapter 377, Acts of the 69th
14 Legislature, Regular Session, 1985, is amended to read as follows:

15 (e) The district shall hold an election in the district to
16 elect directors on the uniform election date [~~first Saturday~~] in
17 May of each odd-numbered year.

18 (b) Section 17, Chapter 377, Acts of the 69th Legislature,
19 Regular Session, 1985, is amended to read as follows:

20 Sec. 17. STATUTORY INTERPRETATION. Except as otherwise
21 provided by this Act, if [~~if~~] there is a conflict between this Act
22 and Chapter 49, 51, or 36 [~~52~~], Water Code, this Act controls. If
23 there is a conflict between Chapter 49 or 51, Water Code, and
24 Chapter 36 [~~52~~], Water Code, Chapter 36 [~~52~~] controls.

25 SECTION 9. TERMS OF OFFICE. The governing body of a
26 groundwater conservation district for which the election date has
27 changed under the laws amended by this Act shall adjust the terms of

1 office to conform to the new election date, if applicable.

2 SECTION 10. NOTICE. (a) The legal notice of the intention
3 to introduce this Act, setting forth the general substance of this
4 Act, has been published as provided by law, and the notice and a
5 copy of this Act have been furnished to all persons, agencies,
6 officials, or entities to which they are required to be furnished
7 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8 Government Code.

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

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

16 (d) All requirements of the constitution and laws of this
17 state and the rules and procedures of the legislature with respect
18 to the notice, introduction, and passage of this Act are fulfilled
19 and accomplished.

20 SECTION 11. EFFECTIVE DATE. This Act takes effect
21 September 1, 2015.