

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. BEXAR METROPOLITAN WATER DISTRICT. Section 52(a), Chapter 306, Acts of the 49th Legislature, Regular Session, 1945, is amended to read as follows:

(a) Not later than January 1, 2017 [~~five years after the date the election results were certified in favor of dissolution under Article 2 or 2A of the Act enacting this section~~], the System shall integrate the services and infrastructure of the District into the System in a reasonable and orderly manner. The Commission for good cause may grant an extension to complete integration of not more than three additional years. The System shall base the integration on the consideration of relevant information, including:

- (1) the location and condition of the infrastructure;
- (2) debt obligations;
- (3) prudent utility practices and fiscal policies;
- (4) costs and revenue; and
- (5) potential impacts on the customers of the District

and the System.

SECTION 2. CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT. Section 6(a), Chapter 524, Acts of the 71st Legislature,

1 Regular Session, 1989, is amended to read as follows:

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

9 SECTION 3. CROCKETT COUNTY GROUNDWATER CONSERVATION
10 DISTRICT. Section 6(a), Chapter 712, Acts of the 71st Legislature,
11 Regular Session, 1989, is amended to read as follows:

12 (a) The district has all of the rights, powers, privileges,
13 authority, functions, and duties provided by the general law of
14 this state, including Chapter 36 and Subchapters H and I, Chapter 49
15 [~~Chapters 50 and 52~~], Water Code, applicable to groundwater
16 [~~underground water~~] conservation districts created under Article
17 XVI, Section 59, of the Texas Constitution. This Act prevails over
18 any provision of general law that is in conflict or inconsistent
19 with this Act.

20 SECTION 4. AMENDMENT TO WATER CODE REGARDING EDWARDS
21 AQUIFER AUTHORITY. Subchapter D, Chapter 36, Water Code, is
22 amended by adding Section 36.125 to read as follows:

23 Sec. 36.125. EDWARDS AQUIFER AUTHORITY. (a) Except as
24 provided by Subsection (b), this subchapter does not apply to the
25 Edwards Aquifer Authority.

26 (b) Sections 36.102 and 36.118 apply to the Edwards Aquifer
27 Authority.

1 SECTION 5. LOST PINES GROUNDWATER CONSERVATION DISTRICT.
2 Subchapter B, Chapter 8849, Special District Local Laws Code, is
3 amended by adding Section 8849.055 to read as follows:

4 Sec. 8849.055. LIABILITY. For liability purposes only, a
5 director is considered a district employee under Chapter 101, Civil
6 Practice and Remedies Code, even if the director does not receive
7 fees of office voluntarily, by district policy, or through a
8 statutory exception to this section. A director is immune from suit
9 and immune from liability for official votes and official actions.

10 SECTION 6. MESA UNDERGROUND WATER CONSERVATION DISTRICT.

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

13 (a) The district has all of the rights, powers, privileges,
14 authority, functions, and duties provided by the general law of
15 this state, including Chapter 36 [~~Chapters 50, 51, and 52~~], Water
16 Code, applicable to groundwater [~~underground water~~] conservation
17 districts created under Article XVI, Section 59, of the Texas
18 Constitution. This Act prevails over any provision of general law
19 that is in conflict or inconsistent with this Act.

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

22 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
23 date [~~first Saturday~~] in May of each even-numbered year [~~the second~~
24 ~~year after the year in which the district is authorized to be~~
25 ~~created at a confirmation election~~], an election shall be held in
26 the district to elect the appropriate number [~~for the election~~] of
27 directors. [~~Directors elected from commissioner precincts 2 and 4~~

1 ~~shall each serve two-year terms and directors elected from~~
2 ~~commissioner precincts 1 and 3 and the district at large shall each~~
3 ~~serve four-year terms. Thereafter, on the same date in each~~
4 ~~subsequent second year, the appropriate number of directors shall~~
5 ~~be elected to the board.]~~

6 SECTION 7. SANDY LAND UNDERGROUND WATER CONSERVATION
7 DISTRICT. (a) Section 6, Chapter 673, Acts of the 71st
8 Legislature, Regular Session, 1989, is amended by adding Subsection
9 (c) to read as follows:

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

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

14 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
15 date [~~first Saturday~~] in May of every other [~~the second year after~~
16 ~~the year in which the district is authorized to be created at a~~
17 ~~confirmation election, an election shall be held in the district~~
18 ~~for the election of two directors who shall each serve two-year~~
19 ~~terms and three directors who shall each serve four-year terms.~~
20 ~~Thereafter, on the same date in each subsequent second]~~ year, the
21 appropriate number of directors shall be elected to the board.

22 SECTION 8. SANTA RITA UNDERGROUND WATER CONSERVATION
23 DISTRICT. Section 6(a), Chapter 653, Acts of the 71st Legislature,
24 Regular Session, 1989, is amended to read as follows:

25 (a) The district has all of the rights, powers, privileges,
26 authority, functions, and duties provided by the general law of
27 this state, including Chapter 36 [~~Chapters 50 and 52~~], Water Code,

1 applicable to groundwater [~~underground water~~] conservation
2 districts created under Article XVI, Section 59, of the Texas
3 Constitution. This Act prevails over any provision of general law
4 that is in conflict or inconsistent with this Act.

5 SECTION 9. SARATOGA UNDERGROUND WATER CONSERVATION
6 DISTRICT. Section 6, Chapter 519, Acts of the 71st Legislature,
7 Regular Session, 1989, is amended by adding Subsection (c) to read
8 as follows:

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

11 SECTION 10. SOUTH PLAINS UNDERGROUND WATER CONSERVATION
12 DISTRICT. (a) Section 5(a), Chapter 46, Acts of the 72nd
13 Legislature, Regular Session, 1991, is amended to read as follows:

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

21 (b) Section 11, Chapter 46, Acts of the 72nd Legislature,
22 Regular Session, 1991, is amended to read as follows:

23 Sec. 11. ELECTION OF DIRECTORS. On the uniform election
24 date [~~first Saturday~~] in May of even-numbered years [~~the second~~
25 ~~year after the year in which the district is authorized to be~~
26 ~~created at a confirmation election~~], an election shall be held in
27 the district to elect the appropriate number [~~for the election~~] of

1 ~~[the] directors [for Precinct Nos. 1 and 3, who shall each serve~~
2 ~~two-year terms, and the directors for Precinct Nos. 2 and 4 and for~~
3 ~~the district at large, who shall each serve four-year terms.~~
4 ~~Thereafter, on the same date in each subsequent second year, the~~
5 ~~appropriate number of directors shall be elected to the board].~~

6 SECTION 11. SUTTON COUNTY UNDERGROUND WATER CONSERVATION
7 DISTRICT. (a) Section 15(e), Chapter 377, Acts of the 69th
8 Legislature, Regular Session, 1985, is amended to read as follows:

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

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

14 Sec. 17. STATUTORY INTERPRETATION. Except as otherwise
15 provided by this Act, if ~~[If]~~ there is a conflict between this Act
16 and Chapter 49, 51, or 36 ~~[52]~~, Water Code, this Act controls. If
17 there is a conflict between Chapter 49 or 51, Water Code, and
18 Chapter 36 ~~[52]~~, Water Code, Chapter 36 ~~[52]~~ controls.

19 SECTION 12. AMENDMENT TO WATER CODE. Section 36.0151(f),
20 Water Code, is amended to read as follows:

21 (f) Before September 1, 2021 ~~[2015]~~, the commission may not
22 create a groundwater conservation district under this section in a
23 county:

24 (1) in which the annual amount of surface water used is
25 more than 50 times the annual amount of groundwater produced;

26 (2) that is located in a priority groundwater
27 management area; and

1 (3) that has a population greater than 2.3 million.

2 SECTION 13. TERMS OF OFFICE. The governing body of a
3 groundwater conservation district for which the election date has
4 changed under the laws amended by this Act shall adjust the terms of
5 office to conform to the new election date, if applicable.

6 SECTION 14. NOTICE. (a) The legal notice of the intention
7 to introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

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

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

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 15. EFFECTIVE DATE. This Act takes effect
25 September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1336 passed the Senate on April 16, 2015, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 29, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1336 passed the House, with amendments, on May 27, 2015, by the following vote: Yeas 141, Nays 0, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor