

By: Perry  
(Keffer)

S.B. No. 1336

Substitute the following for S.B. No. 1336:

By: Lucio III

C.S.S.B. No. 1336

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties, the construction of laws, and the  
3 election dates of certain groundwater conservation districts.

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

5 SECTION 1. CLEARWATER UNDERGROUND WATER CONSERVATION  
6 DISTRICT. Section 6(a), Chapter 524, 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 2. CROCKETT COUNTY GROUNDWATER CONSERVATION  
16 DISTRICT. Section 6(a), Chapter 712, Acts of the 71st Legislature,  
17 Regular Session, 1989, is amended to read as follows:

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

1 with this Act.

2 SECTION 3. MESA UNDERGROUND WATER CONSERVATION DISTRICT.

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

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

12 (b) Section 10, Chapter 669, 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 each even-numbered year [~~the second~~  
16 ~~year after the year in which the district is authorized to be~~  
17 ~~created at a confirmation election~~], an election shall be held in  
18 the district to elect the appropriate number [~~for the election~~] of  
19 directors. [~~Directors elected from commissioner precincts 2 and 4~~  
20 ~~shall each serve two-year terms and directors elected from~~  
21 ~~commissioner precincts 1 and 3 and the district at large shall each~~  
22 ~~serve four-year terms. Thereafter, on the same date in each~~  
23 ~~subsequent second year, the appropriate number of directors shall~~  
24 ~~be elected to the board.~~]

25 SECTION 4. SANDY LAND UNDERGROUND WATER CONSERVATION

26 DISTRICT. (a) Section 6, Chapter 673, Acts of the 71st  
27 Legislature, Regular Session, 1989, is amended by adding Subsection

1 (c) to read as follows:

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

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

6 Sec. 10. ELECTION OF DIRECTORS. On the uniform election  
7 date [~~first Saturday~~] in May of every other [~~the second year after~~  
8 ~~the year in which the district is authorized to be created at a~~  
9 ~~confirmation election, an election shall be held in the district~~  
10 ~~for the election of two directors who shall each serve two-year~~  
11 ~~terms and three directors who shall each serve four-year terms.~~  
12 ~~Thereafter, on the same date in each subsequent second] year, the~~  
13 appropriate number of directors shall be elected to the board.

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

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

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

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

3            SECTION 7. SOUTH PLAINS UNDERGROUND WATER CONSERVATION  
4 DISTRICT.    (a)    Section 5(a), Chapter 46, Acts of the 72nd  
5 Legislature, Regular Session, 1991, is amended to read as follows:

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

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

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

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

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

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

6 Sec. 17. STATUTORY INTERPRETATION. Except as otherwise  
7 provided by this Act, if [~~if~~] there is a conflict between this Act  
8 and Chapter 49, 51, or 36 [~~52~~], Water Code, this Act controls. If  
9 there is a conflict between Chapter 49 or 51, Water Code, and  
10 Chapter 36 [~~52~~], Water Code, Chapter 36 [~~52~~] controls.

11 SECTION 9. TERMS OF OFFICE. The governing body of a  
12 groundwater conservation district for which the election date has  
13 changed under the laws amended by this Act shall adjust the terms of  
14 office to conform to the new election date, if applicable.

15 SECTION 10. NOTICE. (a) The legal notice of the intention  
16 to introduce this Act, setting forth the general substance of this  
17 Act, has been published as provided by law, and the notice and a  
18 copy of this Act have been furnished to all persons, agencies,  
19 officials, or entities to which they are required to be furnished  
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
21 Government Code.

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

25 (c) The Texas Commission on Environmental Quality has filed  
26 its recommendations relating to this Act with the governor, the  
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

2 (d) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act are fulfilled  
5 and accomplished.

6 SECTION 11. EFFECTIVE DATE. This Act takes effect  
7 September 1, 2015.