

1-1 By: Perry S.B. No. 1336
1-2 (In the Senate - Filed March 11, 2015; March 18, 2015, read
1-3 first time and referred to Committee on Agriculture, Water, and
1-4 Rural Affairs; April 7, 2015, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 April 7, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Perry</u>	X		
1-10	<u>Zaffirini</u>	X		
1-11	<u>Creighton</u>	X		
1-12	<u>Hall</u>	X		
1-13	<u>Hinojosa</u>	X		
1-14	<u>Kolkhorst</u>	X		
1-15	<u>Rodríguez</u>	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1336 By: Perry

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the powers and duties, the construction of laws, and the
1-20 election dates of certain groundwater conservation districts.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. CLEARWATER UNDERGROUND WATER CONSERVATION
1-23 DISTRICT. Section 6(a), Chapter 524, Acts of the 71st Legislature,
1-24 Regular Session, 1989, is amended to read as follows:

1-25 (a) The district has all of the rights, powers, privileges,
1-26 authority, functions, and duties provided by the general law of
1-27 this state, including Chapter 36 [~~Chapters 50 and 52~~], Water Code,
1-28 applicable to groundwater [~~underground water~~] conservation
1-29 districts created under Article XVI, Section 59, of the Texas
1-30 Constitution. This Act prevails over any provision of general law
1-31 that is in conflict or inconsistent with this Act.

1-32 SECTION 2. CROCKETT COUNTY GROUNDWATER CONSERVATION
1-33 DISTRICT. Section 6, Chapter 712, Acts of the 71st Legislature,
1-34 Regular Session, 1989, is amended by adding Subsection (c) to read
1-35 as follows:

1-36 (c) If there is a conflict between Chapters 36 and 49, Water
1-37 Code, Chapter 36 prevails.

1-38 SECTION 3. MESA UNDERGROUND WATER CONSERVATION DISTRICT.
1-39 (a) Section 6, Chapter 669, Acts of the 71st Legislature, Regular
1-40 Session, 1989, is amended by adding Subsection (c) to read as
1-41 follows:

1-42 (c) If there is a conflict between Chapter 36 and another
1-43 chapter that applies to the district, Chapter 36 prevails.

1-44 (b) Section 10, Chapter 669, Acts of the 71st Legislature,
1-45 Regular Session, 1989, is amended to read as follows:

1-46 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
1-47 date [~~first Saturday~~] in May of each even-numbered year [~~the second~~
1-48 ~~year after the year in which the district is authorized to be~~
1-49 ~~created at a confirmation election~~], an election shall be held in
1-50 the district to elect the appropriate number [~~for the election~~] of
1-51 directors. [~~Directors elected from commissioner precincts 2 and 4~~
1-52 ~~shall each serve two-year terms and directors elected from~~
1-53 ~~commissioner precincts 1 and 3 and the district at large shall each~~
1-54 ~~serve four-year terms. Thereafter, on the same date in each~~
1-55 ~~subsequent second year, the appropriate number of directors shall~~
1-56 ~~be elected to the board.~~]

1-57 SECTION 4. SANDY LAND UNDERGROUND WATER CONSERVATION
1-58 DISTRICT. (a) Section 6, Chapter 673, Acts of the 71st
1-59 Legislature, Regular Session, 1989, is amended by adding Subsection
1-60 (c) to read as follows:

2-1 (c) If there is a conflict between Chapters 36 and 49, Water
 2-2 Code, Chapter 36 prevails.
 2-3 (b) Section 10, Chapter 673, Acts of the 71st Legislature,
 2-4 Regular Session, 1989, is amended to read as follows:
 2-5 Sec. 10. ELECTION OF DIRECTORS. On the uniform election
 2-6 date [~~first Saturday~~] in May of every other [~~the second year after~~
 2-7 ~~the year in which the district is authorized to be created at a~~
 2-8 ~~confirmation election, an election shall be held in the district~~
 2-9 ~~for the election of two directors who shall each serve two-year~~
 2-10 ~~terms and three directors who shall each serve four-year terms.~~
 2-11 ~~Thereafter, on the same date in each subsequent second] year, the~~
 2-12 appropriate number of directors shall be elected to the board.
 2-13 SECTION 5. SANTA RITA UNDERGROUND WATER CONSERVATION
 2-14 DISTRICT. Section 6(a), Chapter 653, Acts of the 71st Legislature,
 2-15 Regular Session, 1989, is amended to read as follows:
 2-16 (a) The district has all of the rights, powers, privileges,
 2-17 authority, functions, and duties provided by the general law of
 2-18 this state, including Chapter 36 [~~Chapters 50 and 52~~], Water Code,
 2-19 applicable to groundwater [~~underground water~~] conservation
 2-20 districts created under Article XVI, Section 59, of the Texas
 2-21 Constitution. This Act prevails over any provision of general law
 2-22 that is in conflict or inconsistent with this Act.
 2-23 SECTION 6. SARATOGA UNDERGROUND WATER CONSERVATION
 2-24 DISTRICT. Section 6, Chapter 519, Acts of the 71st Legislature,
 2-25 Regular Session, 1989, is amended by adding Subsection (c) to read
 2-26 as follows:
 2-27 (c) If there is a conflict between Chapters 36 and 49, Water
 2-28 Code, Chapter 36 prevails.
 2-29 SECTION 7. SOUTH PLAINS UNDERGROUND WATER CONSERVATION
 2-30 DISTRICT. (a) Section 5, Chapter 46, Acts of the 72nd
 2-31 Legislature, Regular Session, 1991, is amended by adding Subsection
 2-32 (c) to read as follows:
 2-33 (c) If there is a conflict between Chapters 36 and 49, Water
 2-34 Code, Chapter 36 prevails.
 2-35 (b) Section 11, Chapter 46, Acts of the 72nd Legislature,
 2-36 Regular Session, 1991, is amended to read as follows:
 2-37 Sec. 11. ELECTION OF DIRECTORS. On the uniform election
 2-38 date [~~first Saturday~~] in May of even-numbered years [~~the second~~
 2-39 ~~year after the year in which the district is authorized to be~~
 2-40 ~~created at a confirmation election], an election shall be held in~~
 2-41 ~~the district to elect the appropriate number~~ [~~for the election~~] of
 2-42 [~~the~~] directors [~~for Precinct Nos. 1 and 3, who shall each serve~~
 2-43 ~~two-year terms, and the directors for Precinct Nos. 2 and 4 and for~~
 2-44 ~~the district at large, who shall each serve four-year terms.~~
 2-45 ~~Thereafter, on the same date in each subsequent second year, the~~
 2-46 ~~appropriate number of directors shall be elected to the board].~~
 2-47 SECTION 8. SUTTON COUNTY UNDERGROUND WATER CONSERVATION
 2-48 DISTRICT. (a) Section 15(e), Chapter 377, Acts of the 69th
 2-49 Legislature, Regular Session, 1985, is amended to read as follows:
 2-50 (e) The district shall hold an election in the district to
 2-51 elect directors on the uniform election date [~~first Saturday~~] in
 2-52 May of each odd-numbered year.
 2-53 (b) Section 17, Chapter 377, Acts of the 69th Legislature,
 2-54 Regular Session, 1985, is amended to read as follows:
 2-55 Sec. 17. STATUTORY INTERPRETATION. Except as otherwise
 2-56 provided by this Act, if [~~if~~] there is a conflict between this Act
 2-57 and Chapter 49, 51, or 36 [~~52~~], Water Code, this Act controls. If
 2-58 there is a conflict between Chapter 49 or 51, Water Code, and
 2-59 Chapter 36 [~~52~~], Water Code, Chapter 36 [~~52~~] controls.
 2-60 SECTION 9. TERMS OF OFFICE. The governing body of a
 2-61 groundwater conservation district for which the election date has
 2-62 changed under the laws amended by this Act shall adjust the terms of
 2-63 office to conform to the new election date, if applicable.
 2-64 SECTION 10. NOTICE. (a) The legal notice of the intention
 2-65 to introduce this Act, setting forth the general substance of this
 2-66 Act, has been published as provided by law, and the notice and a
 2-67 copy of this Act have been furnished to all persons, agencies,
 2-68 officials, or entities to which they are required to be furnished
 2-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

3-1 Government Code.

3-2 (b) The governor, one of the required recipients, has
3-3 submitted the notice and Act to the Texas Commission on
3-4 Environmental Quality.

3-5 (c) The Texas Commission on Environmental Quality has filed
3-6 its recommendations relating to this Act with the governor, the
3-7 lieutenant governor, and the speaker of the house of
3-8 representatives within the required time.

3-9 (d) All requirements of the constitution and laws of this
3-10 state and the rules and procedures of the legislature with respect
3-11 to the notice, introduction, and passage of this Act are fulfilled
3-12 and accomplished.

3-13 SECTION 11. EFFECTIVE DATE. This Act takes effect
3-14 September 1, 2015.

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