

## **BILL ANALYSIS**

Senate Research Center  
85R27866 DMS-D

H.B. 1982  
By: Metcalf et al. (Creighton)  
Administration  
5/2/2017  
Committee Report (Amended)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Relating to the board of directors of the Lone Star Groundwater Conservation District.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the board of directors of the Lone Star Groundwater Conservation District is rescinded in SECTION 5 (Section 7, Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 6(a) and (c), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, as follows:

(a) Provides that the Lone Star Groundwater Conservation District (district) is governed by a board of five elected directors, rather than a board of nine directors (board).

(c) Prohibits a director from serving more than three full terms.

SECTION 2. Amends the heading to Section 7, Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, to read as follows:

Sec. 7. DIRECTORS.

SECTION 3. Amends Section 7(a), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, as follows:

(a) Provides that the members of the board are elected, rather than appointed, as follows:

(1) one director is elected from each of the four county commissioners precincts by the voters of the applicable precinct to be designated as the director whose place number matches the applicable precinct number, rather than requiring the Commissioners Court of Montgomery County to appoint two directors; and

(2) one director is elected by the voters of the district at large to be designated as the director for place number five, rather than requiring the board of directors of the Montgomery County Soil and Water Conservation District to appoint one director.

(3) Deletes existing Subdivisions (3) through (8) relating to the appointment of directors by certain entities.

SECTION 4. Amends Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 7A, as follows:

Sec. 7A. TEMPORARY PROVISION. (a) Requires a director of the board of the district who is serving on August 31, 2017, to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2018.

(b) Requires the precinct 1 director and the at-large director, after the November 2018 election, to serve a term that expires December 1 of the second year after the date of the election and requires the directors of precincts 2, 3, and 4 to serve a term that expires December 1 of the fourth year after the date of that election. Provides that the initial two-year terms of the precinct 1 director and the at-large director do not count toward the term limitation provided by Section 7(a) of this Act.

(c) Provides that this section expires September 1, 2024.

SECTION 5. Repealers: Sections 7(b) (relating to requiring the directors to be appointed on certain dates), (c) (relating to requiring designated persons to make their appointments and submit in writing the names of their appointments to the Commissioners Court of Montgomery County), and (d) (relating to requiring the board by rule to adopt an appointment process proving certain information to the Commissioners Court of Montgomery County), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001.

SECTION 6. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 7. Effective date: September 1, 2017.

#### **SUMMARY OF COMMITTEE CHANGES**

(1) Amends SECTION 1, in amended Section 6(a), on page 1, line 8, by striking "five" and substituting "seven".

(2) Amends SECTION 3, in amended Section 7(a), on page 1, line 24, by striking "and".

(3) Amends SECTION 3, in amended Section 7(a), on page 2, line 3, by between "five" and the open bracket, inserting the following:

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(3) one director is elected from the City of Conroe by the voters of that municipality; and

(4) one director is elected from the Woodlands Township by the voters of that township.

(4) Strikes SECTION 4, (page 2, line 24 through page 3, line 13) and substitutes the following:

SECTION 4. Amends Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 7A, as follows:

Sec. 7A. TEMPORARY PROVISION. (a) Requires a director of the district board who is serving on August 31, 2017, to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2018.

(b) Requires the precinct 1 director, the at-large director, and the director elected by the City of Conroe, after the November 2018 election, to serve a term that expires December 1 of the second year after the date of the election and the directors of precincts 2, 3, and 4 and the director elected by The Woodlands Township to serve a term that expires December 1 of the fourth year after the date of the election. Provides that the initial two-year terms of the precinct 1 director, the at-large director, and the director elected by the City of Conroe do not count toward the term limitation provided by Section 6(c) of this Act.

(c) Provides that this section expires September 1, 2024.