

1-1 By: King of Hemphill (Senate Sponsor - Seliger) H.B. No. 886
 1-2 (In the Senate - Received from the House March 27, 2017;
 1-3 April 24, 2017, read first time and referred to Committee on
 1-4 Agriculture, Water & Rural Affairs; May 10, 2017, reported
 1-5 favorably by the following vote: Yeas 7, Nays 0; May 10, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the powers and election dates of the Hemphill County
 1-19 Underground Water Conservation District.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 1(a), Chapter 157, Acts of the 74th
 1-22 Legislature, Regular Session, 1995, is amended to read as follows:

1-23 (a) An underground water conservation district, to be known
 1-24 as the Hemphill County Underground Water Conservation District, is
 1-25 created in Hemphill County~~[, subject to approval at a confirmation~~
 1-26 ~~election under Section 8 of this Act. The district is a~~
 1-27 ~~governmental agency and a body politic and corporate].~~

1-28 SECTION 2. Section 5, Chapter 157, Acts of the 74th
 1-29 Legislature, Regular Session, 1995, is amended to read as follows:

1-30 Sec. 5. POWERS. (a) The district has all of the rights,
 1-31 powers, privileges, ~~[authority,]~~ functions, and duties provided by
 1-32 the general law of this state, including Chapter 36 ~~[Chapters 50 and~~
 1-33 ~~52],~~ Water Code, applicable to groundwater ~~[underground water]~~
 1-34 conservation districts created under Section 59, Article XVI, Texas
 1-35 Constitution, except the district may not exercise the power of
 1-36 eminent domain for any purpose. This Act prevails over any
 1-37 provision of general law that is in conflict or inconsistent with
 1-38 this Act.

1-39 (b) The rights, powers, privileges, ~~[authority,]~~ functions,
 1-40 and duties of the district are subject to the continuing right of
 1-41 supervision of the state to be exercised by and through the Texas
 1-42 Commission on Environmental Quality ~~[Natural Resource Conservation~~
 1-43 ~~Commission].~~

1-44 SECTION 3. Section 6(e), Chapter 157, Acts of the 74th
 1-45 Legislature, Regular Session, 1995, is amended to read as follows:

1-46 (e) Each director must qualify to serve as director in the
 1-47 manner provided by Section 36.055 ~~[Sections 51.078 and 51.079],~~
 1-48 Water Code.

1-49 SECTION 4. Section 9, Chapter 157, Acts of the 74th
 1-50 Legislature, Regular Session, 1995, is amended to read as follows:

1-51 Sec. 9. ELECTION OF DIRECTORS. ~~[(a) On the first Saturday~~
 1-52 ~~in May of the second year after the year in which the district is~~
 1-53 ~~authorized to be created at a confirmation election, an election~~
 1-54 ~~shall be held in the district for the election of two directors,~~
 1-55 ~~each of whom shall serve a two-year term, and three directors, each~~
 1-56 ~~of whom shall serve a four-year term.~~

1-57 ~~[(b)]~~ On the uniform election date ~~[first Saturday]~~ in May
 1-58 of each even-numbered ~~[subsequent second]~~ year ~~[following the~~
 1-59 ~~election],~~ the district shall hold an election to elect the
 1-60 appropriate number of directors ~~[shall be elected]~~ to the board.

1-61 SECTION 5. Sections 6(b) and (c), 7, 8, and 10, Chapter

2-1 157, Acts of the 74th Legislature, Regular Session, 1995, are
2-2 repealed.

2-3 SECTION 6. (a) The legal notice of the intention to
2-4 introduce this Act, setting forth the general substance of this
2-5 Act, has been published as provided by law, and the notice and a
2-6 copy of this Act have been furnished to all persons, agencies,
2-7 officials, or entities to which they are required to be furnished
2-8 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-9 Government Code.

2-10 (b) The governor, one of the required recipients, has
2-11 submitted the notice and Act to the Texas Commission on
2-12 Environmental Quality.

2-13 (c) The Texas Commission on Environmental Quality has filed
2-14 its recommendations relating to this Act with the governor, the
2-15 lieutenant governor, and the speaker of the house of
2-16 representatives within the required time.

2-17 (d) All requirements of the constitution and laws of this
2-18 state and the rules and procedures of the legislature with respect
2-19 to the notice, introduction, and passage of this Act are fulfilled
2-20 and accomplished.

2-21 SECTION 7. This Act takes effect immediately if it receives
2-22 a vote of two-thirds of all the members elected to each house, as
2-23 provided by Section 39, Article III, Texas Constitution. If this
2-24 Act does not receive the vote necessary for immediate effect, this
2-25 Act takes effect September 1, 2017.

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