

By: Larson

H.B. No. 4235

A BILL TO BE ENTITLED

AN ACT

relating to the sunset review of certain groundwater conservation districts.

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

SECTION 1. SUNSET ACT. Chapter 325, Government Code, is amended by adding Section 325.026 to read as follows:

Sec. 325.026. GROUNDWATER CONSERVATION DISTRICTS SUBJECT TO REVIEW. (a) A groundwater conservation district listed in Subsection (b) is subject to a limited review under this chapter as if it were a state agency but may not be abolished.

(b) This section applies to the:

(1) Lone Star Groundwater Conservation District; and

(2) Middle Pecos Groundwater Conservation District.

(c) The limited review under this chapter must assess each groundwater conservation district's:

(1) governance;

(2) management;

(3) operating structure; and

(4) compliance with legislative requirements.

(d) A groundwater conservation district reviewed by the commission under this section may not be required to conduct a management audit under Chapter 292, Title 30, Texas Administrative Code.

SECTION 2. LONE STAR GROUNDWATER CONSERVATION DISTRICT.

1 Chapter 1321 (H.B. 2362), Acts of the 77th Legislature, Regular
2 Session, 2001, is amended by adding Section 1A to read as follows:

3 Sec. 1A. (a) The district is subject to review under
4 Chapter 325, Government Code (Texas Sunset Act), but may not be
5 abolished under that chapter. The review shall be conducted under
6 Section 325.026, Government Code, as if the district were a state
7 agency scheduled to be abolished September 1, 2019, and every 12th
8 year after that year.

9 (b) The district shall pay the cost incurred by the Sunset
10 Advisory Commission in performing the review. The Sunset Advisory
11 Commission shall determine the cost, and the district shall pay the
12 amount promptly on receipt of a statement from the Sunset Advisory
13 Commission detailing the cost.

14 SECTION 3. MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT.
15 Subchapter A, Chapter 8851, Special District Local Laws Code, is
16 amended by adding Section 8851.0015 to read as follows:

17 Sec. 8851.0015. APPLICATION OF SUNSET ACT. (a) The
18 district is subject to review under Chapter 325, Government Code
19 (Texas Sunset Act), but may not be abolished under that chapter.
20 The review shall be conducted under Section 325.026, Government
21 Code, as if the district were a state agency scheduled to be
22 abolished September 1, 2019, and every 12th year after that year.

23 (b) The district shall pay the cost incurred by the Sunset
24 Advisory Commission in performing the review. The Sunset Advisory
25 Commission shall determine the cost, and the district shall pay the
26 amount promptly on receipt of a statement from the Sunset Advisory
27 Commission detailing the cost.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.