

1-1 By: Seliger S.B. No. 689
1-2 (In the Senate - Filed January 31, 2017; February 15, 2017,
1-3 read first time and referred to Committee on Agriculture, Water &
1-4 Rural Affairs; March 14, 2017, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; March 14, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the powers and election dates of the Hemphill County
1-18 Underground Water Conservation District.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 1(a), Chapter 157, Acts of the 74th
1-21 Legislature, Regular Session, 1995, is amended to read as follows:

1-22 (a) An underground water conservation district, to be known
1-23 as the Hemphill County Underground Water Conservation District, is
1-24 created in Hemphill County~~[, subject to approval at a confirmation~~
1-25 ~~election under Section 8 of this Act. The district is a~~
1-26 ~~governmental agency and a body politic and corporate].~~

1-27 SECTION 2. Section 5, Chapter 157, Acts of the 74th
1-28 Legislature, Regular Session, 1995, is amended to read as follows:

1-29 Sec. 5. POWERS. (a) The district has all of the rights,
1-30 powers, privileges, ~~[authority,]~~ functions, and duties provided by
1-31 the general law of this state, including Chapter 36 ~~[Chapters 50 and~~
1-32 ~~52],~~ Water Code, applicable to groundwater ~~[underground water]~~
1-33 conservation districts created under Section 59, Article XVI, Texas
1-34 Constitution, except the district may not exercise the power of
1-35 eminent domain for any purpose. This Act prevails over any
1-36 provision of general law that is in conflict or inconsistent with
1-37 this Act.

1-38 (b) The rights, powers, privileges, ~~[authority,]~~ functions,
1-39 and duties of the district are subject to the continuing right of
1-40 supervision of the state to be exercised by and through the Texas
1-41 Commission on Environmental Quality ~~[Natural Resource Conservation~~
1-42 ~~Commission].~~

1-43 SECTION 3. Section 6(e), Chapter 157, Acts of the 74th
1-44 Legislature, Regular Session, 1995, is amended to read as follows:

1-45 (e) Each director must qualify to serve as director in the
1-46 manner provided by Section 36.055 ~~[Sections 51.078 and 51.079],~~
1-47 Water Code.

1-48 SECTION 4. Section 9, Chapter 157, Acts of the 74th
1-49 Legislature, Regular Session, 1995, is amended to read as follows:

1-50 Sec. 9. ELECTION OF DIRECTORS. ~~[(a) On the first Saturday~~
1-51 ~~in May of the second year after the year in which the district is~~
1-52 ~~authorized to be created at a confirmation election, an election~~
1-53 ~~shall be held in the district for the election of two directors,~~
1-54 ~~each of whom shall serve a two-year term, and three directors, each~~
1-55 ~~of whom shall serve a four-year term.~~

1-56 ~~[(b)]~~ On the uniform election date ~~[first Saturday]~~ in May
1-57 of each even-numbered ~~[subsequent second]~~ year ~~[following the~~
1-58 ~~election],~~ the district shall hold an election to elect the
1-59 appropriate number of directors ~~[shall be elected]~~ to the board.

1-60 SECTION 5. Sections 6(b) and (c), 7, 8, and 10, Chapter
1-61 157, Acts of the 74th Legislature, Regular Session, 1995, are

2-1 repealed.

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

2-9 (b) The governor, one of the required recipients, has
2-10 submitted the notice and Act to the Texas Commission on
2-11 Environmental Quality.

2-12 (c) The Texas Commission on Environmental Quality has filed
2-13 its recommendations relating to this Act with the governor, the
2-14 lieutenant governor, and the speaker of the house of
2-15 representatives within the required time.

2-16 (d) All requirements of the constitution and laws of this
2-17 state and the rules and procedures of the legislature with respect
2-18 to the notice, introduction, and passage of this Act are fulfilled
2-19 and accomplished.

2-20 SECTION 7. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2017.

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