

BILL ANALYSIS

S.B. 2038
By: Ellis
Special Purpose Districts
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Spectrum Management District, also known as the Lower Kirby Pearland Management District (district), was created by the Texas Legislature in 2007.

Section 3840.053 of the district's enabling legislation provides that Section 49.052 of the Water Code, relating to director disqualification standards, does not apply to the district. S.B. 2038 repeals this exemption related to Section 49.052 of the Water Code, meaning director disqualification standards that apply to similar districts would also apply to the district.

S.B. 2038 amends current law relating to the qualifications of directors of the Spectrum Management District.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Repealer: Section 3840.053 (Disqualification), Special District Local Laws Code is repealed.

SECTION 2. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI, Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

(b) Provides that the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) Provides that all requirements of the constitution and 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 3. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2015.