

BILL ANALYSIS

Senate Research Center

H.B. 3607
By: Counts (Brown)
Natural Resources
5-16-97
Engrossed

DIGEST

During the 74th Regular Session, the legislature passed House Bill 846, which created the Garza County Underground and Fresh Water Conservation District (district). After House Bill 846 became law, it was discovered that another fresh water supply district already existed in the city of Post, located in Garza County. This discovery of two similar districts overlapping the same territory led to some confusion in the November 1996 board of directors elections of the district. In an attempt to resolve the problem, the district's temporary board of directors did not strictly follow the prescribed procedures in the election of initial directors. Thus, this legislation is needed to validate the confirmation election and actions taken by the board of directors until the problem can be properly addressed. This bill will validate certain acts of the district.

PURPOSE

As proposed, H.B. 3607 validates certain acts of the Garza County Underground and Fresh Water Conservation District.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. VALIDATION. Provides that certain actions of the Garza County Underground and Fresh Water Conservation District (district) and the district's temporary or initial board of directors are validated and confirmed as if the actions had been done as authorized by law. Provides that each initial director of the district, elected in conjunction with the district's confirmation election, is confirmed and validated as a district director and may serve the term to which the director was elected.

SECTION 2. FINDINGS RELATED TO BOUNDARIES. Provides that the legislature finds that the boundaries of the district include the city of Post, Texas, despite any irregularity in calling or holding the election to confirm the district or elect initial directors as provided by Section 10, Chapter 188, Acts of the 74th Legislature, Regular Session, 1995.

SECTION 3. ELECTIONS. Requires the board of directors of the district, after the effective date of this Act, to call and hold elections to elect district directors in accordance with Sections 6, 7, and 11, Chapter 188, Acts of the 74th Legislature, Regular Session, 1995.

SECTION 4. APPLICABILITY. Provides that this Act does not apply to any matter that is the subject of litigation on the effective date of this Act.

SECTION 5. Emergency clause.
Effective date: upon passage.