

BILL ANALYSIS

Senate Research Center

H.B. 3640
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

Texas faces a difficult challenge in developing water policies that serve both state and regional interests. The Texas Constitution authorizes the creation of groundwater conservation districts to plan, develop, and regulate the use of water. H.B. 3640 creates the Coastal Plains Groundwater Conservation District, subject to approval at a confirmation election, to manage Matagorda County's groundwater resources.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Creates the Coastal Plains Groundwater Conservation District (district), subject to approval at a confirmation election under Section 10 of this Act. Provides that the district is a governmental agency and a body politic and corporate. Provides that the district is created under and is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

SECTION 2. DEFINITION. Defines "district."

SECTION 3. BOUNDARIES. Provides that the boundaries of the district are coextensive with the boundaries of Matagorda County, Texas.

SECTION 4. FINDING OF BENEFIT. Provides findings of benefit.

SECTION 5. POWERS. Sets forth guidelines regarding the district's rights, powers, privileges, authority, functions, and duties.

SECTION 6. REGIONAL COOPERATION. Requires the district to perform certain functions in order to provide for uniformity across districts in addressing the need to achieve a common approach to managing the underlying aquifer and to ensure that administration of the district will be cost effective.

SECTION 7. BOARD OF DIRECTORS. Sets forth guidelines regarding the district's board of directors, including temporary, initial, and permanent directors, terms, and vacancies on the board.

SECTION 8. TEMPORARY DIRECTORS. Sets forth guidelines regarding the temporary board of directors.

SECTION 9. METHOD OF ELECTING DIRECTORS. Sets forth guidelines regarding the district's method of electing directors.

SECTION 10. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. Sets forth guidelines regarding a confirmation and initial directors' election.

SECTION 11. ELECTION OF PERMANENT DIRECTORS. Sets forth guidelines regarding the election of permanent directors.

SECTION 12. DISTRICT REVENUES. Authorizes the district to perform certain functions in order to pay the maintenance and operating costs of the district and to pay any bonds issued by the district.

SECTION 13. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Sets forth findings related to procedural requirements.

SECTION 14. EFFECTIVE DATE; EXPIRATION DATE. (a) Effective date: upon passage or September 1, 2001.

(b) Provides that if the creation of the district is not confirmed by a confirmation election held under Section 10 of this Act before the fifth anniversary of the effective date of this Act, this Act expires on that date.