

BILL ANALYSIS

Senate Research Center

H.B. 3652
By: Morrison (Armbrister)
Natural Resources
5/9/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Texas faces a difficult challenge in developing water policies that serve 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. 3652 creates the Lavaca County Groundwater Conservation District, subject to approval at a confirmation election.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Lavaca County Groundwater Conservation District in SECTION 5 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Sets forth provisions regarding the creation of the Lavaca County Groundwater Conservation District (district).

SECTION 2. DEFINITIONS. Defines “board” and “district.”

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

SECTION 4. FINDING OF BENEFIT. Sets forth provisions regarding finding of benefit of the district.

SECTION 5. GENERAL POWERS. Sets forth provisions regarding general powers of the district.

SECTION 6. REGIONAL COOPERATION. Requires the district to establish certain rules regarding regional cooperation.

SECTION 7. DIRECTOR REQUIREMENTS. Sets forth requirements regarding members of the board of directors.

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

SECTION 9. CONFIRMATION ELECTION. Sets forth provisions regarding the calling and holding of a confirmation election.

SECTION 10. INITIAL DIRECTORS. Sets forth provisions regarding initial directors.

SECTION 11. BOARD OF DIRECTORS. Sets forth provisions regarding the board of directors.

SECTION 12. TERM OF OFFICE. Sets forth provisions regarding directors’ terms of office.

SECTION 13. ELECTION OF REGULAR DIRECTORS. Sets forth provisions regarding election of regular directors.

SECTION 14. LIMITATION ON TAXATION. Prohibits the district from imposing an ad valorem tax at a rate that exceeds five cents on each \$100 valuation of taxable property in the district.

SECTION 15. CHANGE OF DISTRICT NAME. Authorizes the district to change the district's name if the district annexes territory.

SECTION 16. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Sets forth provisions regarding procedural requirements.

SECTION 17. EFFECTIVE DATE; EXPIRATION DATE. (a) September 1, 2001.

(b) Provides that if the creation of the district is not confirmed at a confirmation election before September 1, 2006, this Act expires on that date.

SUMMARY OF COMMITTEE CHANGES

Adds new proposed SECTION 5 (REGIONAL COOPERATION).

Renumbers SECTIONS 5-16 as SECTIONS 6-17.