

BILL ANALYSIS

Senate Research Center

H.B. 3539
By: Hupp (Fraser)
Natural Resources
5/20/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In 1989 the Saratoga Underground Water Conservation District was established. The law required that the county judge and the county commissioners of Lampasas County to serve as the board of directors for the water district.

HB 3539 changes the board to elected residents from Lampasas County.

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. Amends Section 7, Chapter 519, Acts of the 71st Legislature, Regular Session, 1989, as follows:

SECTION 7. New heading: BOARD OF DIRECTORS; ELECTION OF DIRECTORS.

(a) Provides that the Saratoga Underground Water Conservation District (district) is governed by a board of five directors to be elected according to the commissioners precinct method as provided by this section. Deletes existing text relating to the composition of the board of directors (board).

(b) Provides that directors serve staggered four-year terms. Deletes existing text providing that the county judge is the chairman of the board.

(c) Requires the appropriate number of directors to be elected on the uniform election date in November of each even-numbered year. Deletes existing text relating to the county judge and each county commissioner serving as a director.

(d) Requires one director to be elected by the voters of the entire district, and one director to be elected from each county commissioners precinct by the voters of that precinct.

(e) Requires a person to be a registered voter in the district to be eligible to be a candidate for or to serve as director at large, except as provided by Subsection (g) of this section. Requires a person to be a registered voter of that precinct to be a candidate for or to serve as director from a county commissioners precinct.

(f) Requires a person to indicate on the application for a place on the ballot the precinct that the person seeks to represent or that the person seeks to represent the district at large.

(g) Requires a director in office on the effective date of the change, or elected or appointed before the effective date of the change to a term of office beginning on or after the effective date of the change, when the boundaries of the county commissioners precincts are redrawn under Section 18, Article V, Texas Constitution, to serve the term or the remainder of the term in the precinct to which elected or appointed even though the change in boundaries places the

person's residence outside the precinct for which the person was elected or appointed.

SECTION 2. (a) Requires the Lampasas County Commissioners Court, as soon as practicable after the effective date of this Act, to appoint five temporary directors to the board of directors of the Saratoga Underground Water Conservation District. Provides that the temporary directors appointed under this section replace the persons serving as directors immediately before the effective date of this Act.

(b) Requires the commissioners court to appoint one person to represent the district at large and one person from each county commissioners precinct. Requires a person to be a registered voter in the district to be eligible to be appointed as director at large. Requires a person to be a registered voter of that precinct to be eligible to be appointed from a county commissioners precinct.

(c) Requires the director appointed to represent the district at large and the directors appointed from precincts two and four to serve until the November uniform election date in 2006. Requires the directors appointed from precincts one and three to serve until the November uniform election date in 2008.

SECTION 3. Effective date: upon passage or September 1, 2005.