

BILL ANALYSIS

Senate Research Center
80R14234 AJA-F

S.B. 2029
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, there are no statutory guidelines that regulate the residence of candidates within the San Patricio County Groundwater Conservation District (district). As a result, the directors of the district may be elected from one area of the district, potentially resulting in unequal representation.

As proposed, S.B. 2029 requires one director of the district to be elected by the voters of the entire county and requires that one director is to be elected from voters in each justice of the peace precinct. This bill requires eligible candidates for director to be a registered voter in the district. This bill validates the acts, proceedings, and elections or appointments of the district occurring before the effective date of this act except for matters in litigation.

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 Subchapter B, Chapter 8817, Special District Local Laws Code, by adding Section 8817.053, as follows:

Sec. 8817.053. METHOD OF ELECTING DIRECTORS: JUSTICE OF THE PEACE PRECINCTS. (a) Requires the directors of the San Patricio County Groundwater Conservation District (district) to be elected according to the precinct method as provided by this section.

(b) Requires one director to be elected by the voters of the entire district, and one director to be elected from each justice of the peace precinct by the voters of that precinct.

(c) 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 (e). Requires a person to be a registered voter of that precinct to be a candidate for or to serve as director from a justice of the peace precinct.

(d) 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.

(e) Requires a director in office on the effective date of the change, or a director elected or appointed before the effective date of the change whose term of office begins on or after the effective date of the change, to serve in the precinct to which elected or appointed when the boundaries of the justice of the peace precincts are redrawn after each federal decennial census to reflect population changes, 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) Provides that all acts and proceedings of the district taken before the effective date of this Act, and the election or appointment of directors or other officers of the district who

took office before the effective date of this Act are validated and confirmed in all respects as if the actions had been done as authorized by law.

(b) Prohibits a governmental act or proceeding of the district occurring after an act or proceeding validated by this Act from being held invalid on the ground that the prior act or proceeding, in the absence of this Act, was invalid.

(c) Provides that this section does not apply to any matter that on the effective date of this Act that is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court of competent jurisdiction, or has been held invalid by a final judgment of a court of competent jurisdiction.

SECTION 3. Effective date: upon passage or September 1, 2007.