

BILL ANALYSIS

Senate Research Center
81R4495 PMO-F

S.B. 724
By: Hegar
Natural Resources
2/27/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2984, 80th Legislature, Regular Session, 2007, created a requirement that in order for a person to qualify for election as a supervisor of a fresh water supply district (district), the person must own land within the boundaries of the district, and removed the requirement that the supervisor be a resident voter of the district. Previously, only a resident voter could serve on the board of supervisors of a district. Other similar districts, such as water control and improvement districts and municipal utility districts, require only that a director be a landowner within district boundaries.

During the interim, there was a voting rights challenge by the Department of Justice (DOJ) to H.B. 2984 and the creation of a district was not pre-cleared for election by DOJ, due to concerns relating to minority voting rights.

As proposed, S.B. 724 requires that to be qualified for election as a supervisor of a district, a person is required to be a resident of this state, the owner of taxable property in the district, and at least 18 years of age, or to be a registered voter of the district.

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 56.063(a), Water Code, to provide that except as provided by Subsection (b) (regarding being a supervisor in Denton County), to be qualified for election as a supervisor of a fresh water supply district (district), a person is required to be a resident of this state, the owner of taxable property in the district, and at least 18 years of age, or is required to be a registered voter of the district. Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2009.