

BILL ANALYSIS

Senate Research Center
84R16439 KJE-F

S.B. 2038
By: Ellis
Intergovernmental Relations
4/24/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Spectrum Management District, also known as the Lower Kirby Pearland Management District (district), was created by the Texas Legislature in 2007.

The Act creating the district is codified as Chapter 3840, Special District Local Laws Code. To the extent not otherwise in conflict with the Chapter 3840, the district operates under Chapter 375, Local Government Code.

Section 3840.053 of the district's enabling legislation provides that Section 49.052 of the Water Code, relating to director disqualification standards, does not apply to the district. S.B. 2038 repeals this exemption from Section 49.052 of the Water Code, meaning director disqualification standards that apply to similar districts would apply to the district.

As proposed, S.B. 2038 amends current law relating to the qualifications of directors of the Spectrum Management 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. Repealer: Section 3840.053 (Disqualification), Special District Local Laws Code.

SECTION 2. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI, Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

(b) Provides that the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: September 1, 2015.