

BILL ANALYSIS

Senate Research Center
77R8128 QS-D

H.B. 561
By: Walker (Duncan)
Natural Resources
4/26/2001
Engrossed

DIGEST AND PURPOSE

The Glasscock County Underground Water Conservation District was created in 1981 by the 67th Legislature. Recently, the district annexed a portion of an adjacent county. Consequently, the district now encompasses more than Glasscock County. H.B. 561 changes the name of the district to the Glasscock Groundwater Conservation District, provides that the district is subject to laws of this state relating to groundwater conservation districts, and modifies provisions regarding the election of the district's board of directors.

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 Sections 1,3-5, and 8-12, Chapter 489, Acts of the 67th Legislature, Regular Session , 1981, as follows:

Sec. 1. Changes reference from "Glasscock County Underground Water Conservation District" to "Glasscock Groundwater Conservation District." Changes reference from "Chapters 51 and 52 of the Water Code" to "Chapter 36, Water Code." Makes conforming changes.

Sec. 3. Makes conforming changes.

Sec. 4. Change reference from "his" to "the owner's," and makes conforming changes.

Sec. 5. Makes a conforming change.

Sec. 8. Makes a conforming change.

Sec. 9. Makes a conforming change.

Sec. 10. Changes reference from "precinct" to "district precincts" and makes a conforming change.

Sec. 11. Adds language to require that a person be a resident of the district or a proposed district to be qualified for election as a director. Adds a new Subsection (c) to require the board of directors to draw numbered precincts for electing directors and to authorize the board of directors to revise the district precincts as necessary or appropriate. Deletes original Subsection (e) relating to terms of office. Adds a new Subsection (f) to provide that the directors serve staggered four-year terms and to require the board of directors to call and hold and election of the appropriate number of directors on the first Saturday in May of each even-numbered year. Makes conforming changes.

Sec. 12. Makes conforming changes.

SECTION 2. Provides that certain acts and proceedings relating to the Glasscock Groundwater Conservation District are validated in all respects as if the acts and proceedings had occurred as authorized by law.

SECTION 3. Provides that SECTION 2 of this Act does not apply to any matter that on the effective date of this Act 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 judgement of a court of competent jurisdiction.

SECTION 4. (a) Provides that, notwithstanding Section 11(f), Chapter 489, Acts of the 67th Legislature, Regular Session, 1981, as amended by this Act, the board of directors of the Glasscock Groundwater Conservation District are required to call and hold elections for directors only as provided by this section for the years 2001, 2002, and 2003, as applicable.

(b) Sets forth provisions if this Act takes effect immediately.

(c) Sets forth provisions if this Act takes effect September 1, 2001.

SECTION 5. Provides that the name of the Glasscock County Underground Water Conservation District is changed to the Glasscock Groundwater Conservation District. Provides that any reference in law to the Glasscock County Underground Water Conservation District means the Glasscock Groundwater Conservation District.

SECTION 6. Effective date: upon passage or September 1, 2001.