AN ACT relating to director elections and powers of the Texana Groundwater
Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. ELECTION DATE

SECTION 1.01. NOVEMBER ELECTIONS. Subsection (b), Section
8, Chapter 307, Acts of the 77th Legislature, Regular Session,
2001, is amended to read as follows:

(b) On the uniform election date in November of each
even-numbered year [first Saturday in May of each subsequent second
year following the election], the appropriate number of directors
shall be elected.

SECTION 1.02. NOVEMBER ELECTIONS. Subsection (b), Section
3.1108, Chapter 966, Acts of the 77th Legislature, Regular Session,
2001, is amended to read as follows:

(b) On the uniform election date in November of each
even-numbered year [first Saturday in May of each subsequent second
year following the election], the appropriate number of directors
shall be elected.

ARTICLE 2. DISTRICT POWERS

SECTION 2.01. NO EMINENT DOMAIN POWER. (a) Chapter 307,
Acts of the 77th Legislature, Regular Session, 2001, is amended by
adding Section 4A to read as follows:

Sec. 4A. NO EMINENT DOMAIN POWER. The district may not
exercise the powers granted by Section 36.105, Water Code.

(b) Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 3.11041 to read as follows:

Sec. 3.11041. NO EMINENT DOMAIN POWER. The district may not exercise the powers granted by Section 36.105, Water Code.

SECTION 2.02. CONTRACTS WITH OTHER GOVERNMENTAL ENTITIES.

Subsection (b), Section 10, Chapter 307, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(b) The district may contract with other governmental entities[, including river authorities located in the district,] for the performance of any or all district functions. The district may not contract with a [A] river authority to perform district functions except as provided by Chapter 791, Government Code [with which the district contracts under this section may perform district functions as provided by the contract]. The district may not exercise the powers granted by Section 36.105, Water Code.

SECTION 2.03. CONTRACTS WITH OTHER GOVERNMENTAL ENTITIES.

Subsection (b), Section 3.1110, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(b) The district may contract with other governmental entities[, including river authorities located in the district,] for the performance of any or all district functions. The district may not contract with a [A] river authority to perform district functions except as provided by Chapter 791, Government Code [with which the district contracts under this section may perform district functions as provided by the contract].
ARTICLE 3. TRANSITION; VALIDATION; EFFECTIVE DATE

SECTION 3.01. TRANSITION. A member of the board of directors of the Texana Groundwater Conservation District who is serving as a director on the day before the effective date of this Act shall serve until the director's term expires. A director whose term expires in May 2012 shall continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2012 in accordance with Section 8, Chapter 307, and Section 3.1108, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, as amended by this Act. A director whose term expires in May 2014 shall continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2014.

SECTION 3.02. VALIDATION. (a) All governmental acts and proceedings of the Texana Groundwater Conservation District relating to the election or appointment of members of the board of directors of the district that were taken before the effective date of this Act are validated, ratified, and confirmed in all respects as if they had been taken as authorized by law.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 3.03. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS.
S.B. No. 1895

(a) 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, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

(c) The Texas Commission on Environmental Quality 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) 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 3.04. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.
S.B. No. 1895

President of the Senate
Speaker of the House
I hereby certify that S.B. No. 1895 passed the Senate on May 9, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate
I hereby certify that S.B. No. 1895 passed the House on May 19, 2011, by the following vote: Yeas 148, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor