

By: Herrero

H.B. No. 4621

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the number, terms, and compensation of the
3 commissioners of the Nueces County Drainage and Conservation
4 District Number 2.

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

6 SECTION 1. Sections 5 and 6, Chapter 520, Acts of the 57th
7 Legislature, Regular Session, 1961, are amended to read as follows:

8 Sec. 5. (a) Except as provided by Subsection (d), the
9 District is governed by a board of three Commissioners.

10 (b) No Commissioner of said District shall be eligible for
11 office unless the Commissioner [he] resides within the boundaries
12 of the District, owns land within the District and is a duly
13 qualified voter of said District.

14 (c) Except as provided by Subsection (d), Commissioners
15 serve staggered four-year terms.

16 (d) The board by resolution adopted on a vote of a majority
17 of the Commissioners may expand the number of Commissioners from
18 three to five. For the first election to elect Commissioners that
19 follows the adoption of the resolution, the Commissioners shall
20 call for an election of five Commissioners to fill all positions on
21 the board. On organizing the board at the first board meeting
22 following the election, the Commissioners shall draw lots to
23 determine which three Commissioners shall serve four-year terms and
24 which two Commissioners shall serve two-year terms.

1 Sec. 6. (a) The Commissioners of Nueces County Drainage and
2 Conservation District Number 2 may receive for their services
3 compensation for the time actually engaged in the work of their
4 District, the amount of which compensation shall be fixed by the
5 Commissioners Court of Nueces County by an order entered in the
6 minutes of said Court at any amount up to, but not in excess of, \$500
7 in any one (1) calendar month. The amount of such compensation
8 shall be determined upon the application therefor in writing by the
9 Commissioners of the District located in Nueces County filed with
10 the Commissioners Court in said County showing the necessity
11 therefor and provided that said Commissioners Court, after having
12 heard such petitions, may deny or grant the same in whole or in part
13 and shall enter their written order in the minutes of said Court
14 fixing the amount of such compensation within the limit aforesaid.

15 (b) The amount of compensation limited by Subsection (a)
16 does not include the value of benefits, including health care
17 coverage, provided to the Commissioners.

18 SECTION 2. Unless the commissioners of the Nueces County
19 Drainage and Conservation District Number 2 adopt a resolution
20 under Section 5(d), Chapter 520, Acts of the 57th Legislature,
21 Regular Session, 1961, as added by this Act, the commissioners
22 shall draw lots to determine which two commissioners serve a term of
23 four years, and which commissioner serves a term of two years.

24 SECTION 3. (a) The legal notice of the intention to
25 introduce this Act, setting forth the general substance of this
26 Act, has been published as provided by law, and the notice and a
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

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

7 (c) The Texas Commission on Environmental Quality has filed
8 its recommendations relating to this Act with the governor, the
9 lieutenant governor, and the speaker of the house of
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this Act are fulfilled
14 and accomplished.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2021.