

By: Nichols

S.B. No. 774

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election of emergency services commissioners in
3 certain emergency services districts.

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

5 SECTION 1. Sections 775.0345(b-1), (d-1), (e), and (h-1),
6 Health and Safety Code, are amended to read as follows:

7 (b-1) Notwithstanding Subsection (b), the governing body of
8 a district described by Subsection (a)(2) [~~or (3)~~] is governed by a
9 five-member board of emergency services commissioners elected from
10 single-member districts. One director is elected from each
11 single-member district. As soon as possible after the district is
12 created, the commissioners court of the county in which the
13 district is located shall divide the district into five numbered
14 single-member districts.

15 (d-1) Notwithstanding Subsection (d), to be eligible to be a
16 candidate for emergency services commissioner in a single-member
17 district on an initial board in a district described by Subsection
18 (a)(2) [~~or (3)~~], a person must be at least 18 years of age and a
19 resident of that single-member district.

20 (e) A candidate for emergency services commissioner on an
21 initial board must give the voter registrar of the county a sworn
22 notice of the candidate's intention to run for office. The notice
23 must state the person's name, age, and address and state that the
24 person is serving notice of intent to run for emergency services

1 commissioner. If the person intends to run for emergency services
2 commissioner in a single-member district in a district described by
3 Subsection (a)(2) [~~or (3)~~], the notice must also specify the
4 single-member district the person seeks to represent. On receipt
5 of the notice, the voter registrar of the county shall have the
6 candidate's name placed on the ballot.

7 (h-1) Notwithstanding Subsection (h), the five initial
8 emergency services commissioners elected from single-member
9 districts in a district described by Subsection (a)(2) [~~or (3)~~]
10 shall draw lots to determine which two commissioners serve terms
11 that expire on December 31 of the second year following the year in
12 which the election was held and which three commissioners serve
13 terms that expire on December 31 of the fourth year following the
14 year in which the election was held.

15 SECTION 2. (a) This Act does not prohibit a person who is
16 serving as an emergency services commissioner on the effective date
17 of this Act from running for election to the board of commissioners
18 after the effective date of this Act if the person has the
19 qualifications required for a member under Section [775.0345](#), Health
20 and Safety Code.

21 (b) The terms of the emergency services commissioners
22 serving on the effective date of this Act expire on the date a
23 majority of the new emergency services commissioners elected under
24 Subsection (c) of this section qualify to serve.

25 (c) The county judge of a county with an emergency services
26 district to which Section [775.0345](#)(a)(3), Health and Safety Code,
27 applies on the effective date of this Act shall establish an

1 election to elect new emergency services commissioners of that
2 district in the manner provided by Section 775.0345, Health and
3 Safety Code, as amended by this Act, for election of the initial
4 commissioners as if the district had been created on the effective
5 date of this Act.

6 SECTION 3. This Act takes effect September 1, 2021.