

By: Perry

S.B. No. 1088

A BILL TO BE ENTITLED

AN ACT

relating to eligibility to serve as a member of the board of directors of the West Central Texas Municipal Water District.

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

SECTION 1. Sections 3(a), (b), (c), and (d), Chapter 66, Acts of the 54th Legislature, Regular Session, 1955, are amended to read as follows:

(a) All powers of the District shall be exercised by a Board of Directors. Each city in the District~~[, each of whom]~~ shall appoint a person to the Board of Directors, as provided by this section, ~~[be appointed]~~ by majority vote of the governing body of a ~~[the]~~ city ~~[in which he resides]~~.

(b) The number of Directors to be appointed by ~~[from]~~ each city in the District shall be governed by the population of the city, according to the most recent Federal Census, as follows:

(1) each ~~[Each]~~ city having a population of ten thousand (10,000) or less, shall appoint two (2) Directors; and

(2) each ~~[Each]~~ city having a population of more than ten thousand (10,000), shall appoint two (2) Directors plus one (1) Director for each ten thousand (10,000) population or part thereof over ten thousand (10,000), provided however, that no city shall appoint more than one-half (1/2) of the members of the Board.

(c) ~~In [the appointment of Directors from each city which is entitled to appoint more than one (1) Director, not less than one~~

1 ~~(1) Director shall serve to and including May 31, 1956, and not less~~
2 ~~than one (1) shall serve to and including May 31, 1957, the~~
3 ~~Directors to serve for the short term and those to serve for the~~
4 ~~long term shall be specified by the governing body of the city; in~~
5 ~~May of 1956 and in] May of each year the governing body of each~~
6 ~~[such] city shall appoint the necessary Director or Directors for~~
7 ~~the two (2) year term beginning June 1st of that year. The first~~
8 ~~Director appointed by [~~from~~] any city, hereafter annexed to the~~
9 ~~District, which is entitled to only one (1) Director, may be~~
10 ~~appointed for a term ending on a May 31st not more than two (2) years~~
11 ~~from date of appointment. The subsequent Director or Directors~~
12 ~~shall be appointed as provided above.~~

13 (d) Each Director shall serve for the Director's [~~his~~] term
14 of office as herein provided, and thereafter until a [~~his~~]
15 successor shall be appointed and qualified. No person shall be
16 appointed a Director unless the person [~~he~~] resides in and owns
17 taxable property in a county in which the city that [~~from which he~~
18 ~~is~~] appointed the person is located. No member of a governing body
19 of a city, and no employee of a city shall be appointed as Director.
20 Such Directors shall subscribe the Constitutional oath of office,
21 and each shall give bond for the faithful performance of the
22 Director's [~~his~~] duties in the amount of Five Thousand Dollars
23 (\$5,000), the cost of which shall be paid by the District. A
24 majority shall constitute a quorum. If any Director no longer
25 resides in and owns taxable property in a county in which the city
26 that appointed the Director is located [~~moves from the city from~~
27 ~~which he is appointed~~], the governing body of such city shall

1 appoint a Director to succeed that Director [~~him~~], for the
2 unexpired term.

3 SECTION 2. The West Central Texas Municipal Water District
4 retains all rights, powers, privileges, authority, duties, and
5 functions that it had before the effective date of this Act.

6 SECTION 3. (a) The legal notice of the intention to
7 introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

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

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2023.