

By: Hughes

S.B. No. 1226

A BILL TO BE ENTITLED

AN ACT

relating to the term of office for a director of the Northeast Texas
Municipal Water District.

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

SECTION 1. Section 3(a), Chapter 78, Acts of the 53rd
Legislature, Regular Session, 1953, is amended to read as follows:

(a) All powers of the District shall be exercised by a Board
of Directors. Such directors shall be appointed by a majority vote
of [for] the governing body of each of the cities contained in the
District. ~~[In appointing the first directors for a city containing
5,000 population or more according to the most recent Federal
Census, the governing body of such city shall appoint one director
who shall serve to and including May 31, 1954, and one who shall
serve to and including May 31, 1955.]~~ In ~~[May, 1954, and in]~~ May of
each even-numbered year ~~[thereafter]~~, the governing bodies ~~[body]~~
of Avinger, Hughes Springs, Jefferson, and Ore City each ~~[such
city]~~ shall appoint one director for a [the] two year term beginning
on June 1 ~~[1st]~~ of that year. In May of each odd-numbered year, the
governing bodies of Daingerfield, Lone Star, and Pittsburg each
shall appoint one director for a two year term beginning on June 1
of that year. ~~[In appointing the first director for a city of less
than 5,000 population according to the most recent Federal Census,
the governing body of such city shall appoint one director who shall
serve to and including May 31, 1954. In May, 1954, and in May of~~

1 ~~each even year thereafter, the governing body shall appoint one~~
2 ~~director for the two year term beginning on June 1st of that year.]~~
3 Each director shall serve for the director's [~~his~~] term of office as
4 herein provided, and thereafter until the director's [~~his~~]
5 successor shall be appointed and qualified. No person shall be
6 appointed a director unless the person [~~he~~] resides in and owns
7 taxable property in the city from which the person [~~he~~] is
8 appointed. No member of a governing body of a city[~~7~~] and no
9 employee of a city shall be appointed as director. Such directors
10 shall subscribe the constitutional oath of office, and each shall
11 give bond for the faithful performance of the director's [~~his~~]
12 duties in the amount of Five Thousand (\$5,000.00) Dollars, the cost
13 of which shall be paid by the District. A majority shall constitute
14 a quorum.

15 SECTION 2. Section 6, Chapter 78, Acts of the 53rd
16 Legislature, Regular Session, 1953, is amended to read as follows:

17 Sec. 6. When [~~any city,~~7] the territory of a city [~~which~~] is
18 [~~hereafter~~] annexed to the District, [~~contains 5,000 inhabitants or~~
19 ~~more according to the most recent Federal Census, the governing~~
20 ~~body of the city shall appoint one director for the term ending the~~
21 ~~following May 31st, and one director for the term ending one year~~
22 ~~after the following May 31st, and in May of each year shall appoint~~
23 ~~one director for a two year term the same as provided in this Act for~~
24 ~~cities originally included in the District. If such city contains~~
25 ~~less than 5,000 inhabitants according to the most recent Federal~~
26 ~~Census,~~7] the governing body of the city shall appoint one director
27 whose term shall expire the following May 31 [~~31st~~], and in May of

1 each second year thereafter shall appoint one director for a two
2 year term beginning on June 1 of that year and expiring on May 31 two
3 years later. [~~Whenever such city may later attain a population of~~
4 ~~5,000 or more according to the Federal Census, it shall thereafter~~
5 ~~be entitled to two directors to be appointed as herein provided.~~]

6 SECTION 3. (a) A person who is appointed by the governing
7 bodies of the cities of Avinger, Hughes Springs, Jefferson, or Ore
8 City and is serving as a director of the Northeast Texas Municipal
9 Water District on the effective date of this Act shall continue to
10 serve as a director for a term of office that expires May 31, 2024.

11 (b) As soon as practicable after the effective date of this
12 Act, the governing bodies of the cities of Daingerfield, Lone Star,
13 and Pittsburg shall each appoint a person to serve as a director of
14 the Northeast Texas Municipal Water District for a term of office
15 that begins June 1, 2023, and expires May 31, 2025.

16 SECTION 4. (a) The legal notice of the intention to
17 introduce this Act, setting forth the general substance of this
18 Act, has been published as provided by law, and the notice and a
19 copy of this Act have been furnished to all persons, agencies,
20 officials, or entities to which they are required to be furnished
21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
22 Government Code.

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

26 (c) The Texas Commission on Environmental Quality has filed
27 its recommendations relating to this Act with the governor, the

1 lieutenant governor, and the speaker of the house of
2 representatives within the required time.

3 (d) All requirements of the constitution and laws of this
4 state and the rules and procedures of the legislature with respect
5 to the notice, introduction, and passage of this Act are fulfilled
6 and accomplished.

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.