

BILL ANALYSIS

S.B. 892
By: Bivins
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law requires cities participating in a 911 Emergency Communication District to appoint members to the Communication District Board. Disagreement exists over whether the term “appointed jointly” requires a unanimous decision on the part of the participating cities. However, the 118th District Court ruled that “jointly appoint” means that a majority vote would be needed to approve the member. S.B. 892 requires an appointment to a board of managers that is made jointly by more than one municipality or other entity to be made by majority vote of the municipalities voting on the appointment.

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 772.306(c), (2) , Health and Safety Code, by adding the language “the majority vote of” and “voting on the appointment and” and striking the language “all” and “participating”.

SECTION 2. Makes application of the Act prospective.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds in each house. If not, the Act take effect September 1, 2003.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds in each house. If not, the Act take effect September 1, 2003.