

By: Madla

S.B. No. 1877

A BILL TO BE ENTITLED

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AN ACT

relating to the election of directors and validation of acts of the governing board of the Real-Edwards Conservation and Reclamation District.

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

SECTION 1. Subsection (b), Section 11, Chapter 341, Acts of the 56th Legislature, Regular Session, 1959, is amended to read as follows:

(b) There shall be held in the District on the first Tuesday after the first Monday in November [~~Saturday of May~~] in each even-numbered year an election within the District for the selection of Directors to succeed those whose terms expire on said date. Such election shall be held in such voting boxes as are designated by the Board of Directors, and notice of such election shall be given by the Secretary of the Board of Directors by posting in three (3) public places within the District a copy of the order of the Board of Directors directing the time and places of holding the election. No person shall be selected a Director unless he be above the age of twenty-one (21) years and a resident within the territorial limits of the District.

SECTION 2. (a) The following actions of the Real-Edwards Conservation and Reclamation District are validated and confirmed as if the actions had been done as authorized by law:

(1) all acts and governmental proceedings of the

1 district taken before the effective date of this Act; and

2 (2) the election or appointment of directors or other  
3 officials of the district who took office before the effective date  
4 of this Act.

5 (b) This Act does not apply to:

6 (1) an act or proceeding that was void at the time it  
7 occurred;

8 (2) an act or proceeding that, under a statute of this  
9 state or the United States, was a misdemeanor or felony at the time  
10 the act or proceeding occurred;

11 (3) a rule that, at the time it was passed, was  
12 preempted by a statute of this state or the United States; or

13 (4) a matter that on the effective date of this Act:

14 (A) is involved in litigation if the litigation  
15 ultimately results in the matter being held invalid by a final  
16 judgment of a court; or

17 (B) has been held invalid by a final judgment of a  
18 court.

19 SECTION 3. (a) A member of the board of directors of the  
20 Real-Edwards Conservation and Reclamation District serving on the  
21 effective date of this Act shall continue in office until the  
22 member's successor, elected at the election held November 2, 2004,  
23 qualifies for office.

24 (b) At the election held November 2, 2004, nine directors  
25 shall be elected to the board. The nine directors elected shall  
26 draw lots to determine which four directors serve two-year terms  
27 and which five directors serve four-year terms beginning January 1

1 following the election.

2 (c) Directors elected at the election held November 7, 2006,  
3 and in successive even-numbered years as provided by Section 11,  
4 Chapter 341, Acts of the 56th Legislature, Regular Session, 1959,  
5 as amended by this Act, serve four-year terms beginning January 1  
6 following the election.

7 SECTION 4. 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, 2003.