

By: Duncan S.B. No. 56  
(In the Senate - Filed June 28, 2005; June 30, 2005, read first time and referred to Committee on Intergovernmental Relations; July 7, 2005, reported favorably by the following vote: Yeas 5, Nays 0; July 7, 2005, sent to printer.)

AN ACT  
A BILL TO BE ENTITLED

relating to the expansion of the Salt Fork Water Quality District and the appointment of directors by the commissioners court of each county included within the boundaries of the district.

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

SECTION 1. Section 3, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

Sec. 3. BOUNDARIES. The boundaries of the district are coextensive with the boundaries of Stonewall, Kent, and Garza Counties ~~[County]~~.

SECTION 2. Subsection (c), Section 6, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(c) In addition to the rights, privileges, powers, and duties provided by the general laws of this state, the ~~[The]~~ district may:

(1) purchase, construct, acquire, own, hold, lease, build, repair, improve, extend, reconstruct, maintain, and operate works, improvements, facilities, plants, equipment, and appliances incident, helpful, or necessary to accomplish the purposes described by this Act, inside or outside district boundaries, subject to city consent under Section 65.016, Water Code;

(2) enter into contracts, leases, and other agreements with, and accept grants, loans, and other assistance from, this state, political subdivisions of this state, and other entities;

(3) borrow money and issue and secure bonds and other evidences of indebtedness for the purposes described by this Act, if approved by resolution or order adopted by the board of directors of the district, as provided by Chapter 65, Water Code, or other applicable law; and

(4) sell salt, water, and other products on terms approved by the board of directors of the district.

SECTION 3. Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

Sec. 7. BOARD OF DIRECTORS. (a) The district is governed by a board of three ~~[five]~~ directors. The director for position one shall be appointed by the Commissioners Court of Stonewall County, the director for position two shall be appointed by the Commissioners Court of Kent County, and the director for position three shall be appointed by the Commissioners Court of Garza County.

(b) To be eligible to serve as a director, a person must be a registered voter of the county that the commissioners court making the appointment represents ~~[Three of the initial directors shall serve terms that expire on September 1, 2003. Two of the initial directors shall serve terms that expire on September 1, 2002].~~

(c) Directors serve two-year terms beginning on September 1 of odd-numbered years. The commissioners court may make an appointment on or after the 45th day before the date the term begins ~~[At the expiration of a term, the commissioners court shall appoint a director to serve a term of two years].~~ If a vacancy occurs on the board of directors, the commissioners court that makes the appointment for that position under Subsection (a) of this section shall appoint a director to serve the remainder of that term.

(d) Each director must qualify to serve as director in the manner provided by Section 49.055, Water Code, except that a bond is not required.

(e) A director serves until the director's successor has

qualified.

~~[(f) To be eligible to serve as a director, a person must be a registered voter in Stonewall County.]~~

SECTION 4. The Commissioners Courts of Stonewall, Kent, and Garza Counties shall appoint initial directors under Section 7, Chapter 1139, Acts of the 76th Legislature, Regular Session, 1999, as amended by this Act, as soon as practicable after the effective date of this Act. Initial directors shall serve until September 1, 2007, or until a successor has been appointed and qualified.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

\* \* \* \* \*