

By: Riddle

H.B. No. 847

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the board of directors of a regional mobility
3 authority.

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

5 SECTION 1. Section 370.251, Transportation Code, is amended
6 by amending Subsections (a), (b), (d), (e), and (f) and adding
7 Subsections (a-1) and (b-1) to read as follows:

8 (a) The governing body of an authority is a board of
9 directors consisting of:

10 (1) subject to Subsection (a-1), ~~[representatives of~~
11 ~~each county in which a transportation project of the authority is~~
12 ~~located or is proposed to be located. The commissioners court of~~
13 ~~each county that initially forms the authority shall appoint at~~
14 ~~least]~~ two directors elected from each county that initially forms
15 the authority; and

16 (2) one director elected from each ~~[to the board.~~
17 ~~Additional directors may be appointed to the board at the time of~~
18 ~~initial formation by agreement of the counties creating the~~
19 ~~authority to ensure fair representation of political subdivisions~~
20 ~~in the counties of the authority that will be affected by a~~
21 ~~transportation project of the authority, provided that the number~~
22 ~~of directors must be an odd number. The commissioners court of a]~~
23 ~~county that is subsequently added to the authority [shall appoint~~
24 ~~one director to the board. The governor shall appoint one director~~

1 ~~to the board who shall serve as the presiding officer of the board~~
2 ~~and shall appoint an additional director to the board if an~~
3 ~~appointment is necessary to maintain an odd number of directors on~~
4 ~~the board].~~

5 (a-1) Before the election of initial directors, the
6 commissioners courts of the creating counties by agreement may
7 determine that additional representation is needed for certain
8 creating counties to ensure:

9 (1) fair representation of a political subdivision
10 that will be affected by an authority transportation project; and

11 (2) an odd number of directors on the board.

12 (b) Unless the commissioners courts of the counties of the
13 authority unanimously agree otherwise, ~~[the commissioners court~~
14 ~~of]~~ each county of an authority that contains an operating
15 transportation project of the authority shall elect ~~[appoint]~~ one
16 additional director.

17 (b-1) Before the election of a director under Subsection
18 (a)(2) or (b), the board by agreement shall determine the number of
19 directors to be elected from each county as necessary to ensure an
20 odd number of directors on the board.

21 (d) One director elected ~~[appointed]~~ to the initial board of
22 an authority by ~~[the commissioners court of]~~ a county shall be
23 designated by the commissioners court of the county to serve a term
24 of two years and one director designated to serve a term of four
25 years. If one or more directors are subsequently elected
26 ~~[appointed]~~ to the board, the board ~~[directors other than the~~
27 ~~subsequent appointees]~~ shall determine the length of the

1 subsequently elected directors' [~~appointees'~~] terms, to comply with
2 Subsection (c).

3 (e) If a vacancy occurs on the board, the board shall order a
4 special election to fill the vacancy [~~the appointing authority~~
5 ~~shall promptly appoint a successor to serve~~] for the remainder of
6 the unexpired [~~portion of the~~] term.

7 (f) The board shall elect from among the directors one
8 director as presiding officer. The presiding officer may select
9 another director to preside in the absence of the presiding
10 officer. [~~All appointments to the board shall be made without~~
11 ~~regard to race, color, disability, sex, religion, age, or national~~
12 ~~origin.~~]

13 SECTION 2. (a) This Act does not affect the term of a
14 director serving on a regional mobility authority board on the
15 effective date of this Act. Directors elected to fill vacancies
16 occurring on or after the effective date of this Act must be elected
17 in accordance with Section 370.251, Transportation Code, as amended
18 by this Act.

19 (b) This Act does not prohibit a person who is a director
20 serving on a regional mobility authority board before the effective
21 date of this Act from being elected as a director under the new
22 composition of the board of a regional mobility authority if the
23 person has the qualifications required for the position under
24 Section 370.251, Transportation Code, as amended by this Act.

25 SECTION 3. This Act takes effect September 1, 2005.