

By: Coleman

H.B. No. 2889

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the governing board and territory of certain  
3 metropolitan rapid transit authorities.

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

5 SECTION 1. Section 451.501(g), Transportation Code, is  
6 amended to read as follows:

7 (g) This section does not apply to the board of an authority  
8 described by Section 451.5021(a) or 451.5022(a).

9 SECTION 2. Sections 451.502(a) and (f), Transportation  
10 Code, are amended to read as follows:

11 (a) The five board members under Section 451.501(a)(1) are  
12 appointed by the governing body of the principal municipality [~~7~~  
13 ~~except in an authority having a principal municipality with a~~  
14 ~~population of more than 1.2 million, the five board members are~~  
15 ~~appointed by the mayor of the principal municipality and are~~  
16 ~~subject to confirmation by the governing body of the principal~~  
17 ~~municipality]~~.

18 (f) This section does not apply to the board of an authority  
19 described by Section 451.5021(a) or 451.5022(a).

20 SECTION 3. Subchapter K, Chapter 451, Transportation Code,  
21 is amended by adding Section 451.5022 to read as follows:

22 Sec. 451.5022. BOARD COMPOSITION; AUTHORITY HAVING A  
23 PRINCIPAL MUNICIPALITY WITH A POPULATION GREATER THAN 1.2 MILLION.

24 (a) This section applies only to the board of an authority having a

1 principal municipality with a population of more than 1.2 million.

2 (b) The board is composed of nine members who are appointed  
3 as follows:

4 (1) three members appointed by the mayor of the  
5 principal municipality who are subject to confirmation by the  
6 governing body of the principal municipality;

7 (2) three members appointed by the commissioners court  
8 of the principal county;

9 (3) two members appointed by a panel composed of:

10 (A) the mayors of the municipalities in the  
11 authority, excluding the mayor of the principal municipality; and

12 (B) the county judges of the counties having  
13 unincorporated area in the authority, excluding the county judge of  
14 the principal county; and

15 (4) one member to be appointed jointly by the mayor of  
16 the principal municipality, subject to confirmation by the  
17 governing body of the principal municipality, and the commissioners  
18 court of the principal county.

19 (c) In this section, "principal county" has the meaning  
20 assigned by Section 451.501(f).

21 SECTION 4. Section 451.602, Transportation Code, is  
22 amended to read as follows:

23 Sec. 451.602. AUTHORITIES COVERED BY SUBCHAPTER. Except  
24 as provided by Section 451.617, this subchapter applies only to an  
25 authority in which:

26 (1) the principal municipality has a population of  
27 less than 750,000 and that was confirmed before July 1, 1985; or

1           (2) the principal municipality has a population of  
2 more than 1.2 million.

3           SECTION 5. (a) This section applies only to an authority  
4 governed by a board to which Section 451.5022, Transportation Code,  
5 as added by this Act, applies.

6           (b) The changes in law made by this Act do not affect the  
7 entitlement of a member serving on the board immediately before the  
8 effective date of this Act to continue to carry out the board's  
9 functions for the remainder of the member's term. The changes in  
10 law apply only to a member appointed on or after an election to  
11 change the composition of the board under Section 451.5022,  
12 Transportation Code, as added by this Act, has been successful.  
13 This Act does not prohibit a person who is a member of the board on  
14 the effective date of this Act from being reappointed to the board  
15 after a successful election if the person has the qualifications  
16 required for a member under Section 451.5022, Transportation Code,  
17 as added by this Act.

18           SECTION 6. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2005.