

1-1 By: Hupp (Senate Sponsor - Fraser) H.B. No. 3539  
1-2 (In the Senate - Received from the House May 20, 2005;  
1-3 May 20, 2005, read first time and referred to Committee on Natural  
1-4 Resources; May 21, 2005, reported favorably by the following vote:  
1-5 Yeas 8, Nays 0; May 21, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the composition of the board of directors of the  
1-9 Saratoga Underground Water Conservation District.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 7, Chapter 519, Acts of the 71st  
1-12 Legislature, Regular Session, 1989, is amended to read as follows:

1-13 SECTION 7. BOARD OF DIRECTORS; ELECTION OF DIRECTORS. (a)  
1-14 The district is governed by a board of five directors to be elected  
1-15 according to the commissioners precinct method as provided by this  
1-16 section [composed of the county judge and the county commissioners  
1-17 of Lampasas County].

1-18 (b) Directors serve staggered four-year terms [The county  
1-19 judge is the chairman of the board of directors].

1-20 (c) On the uniform election date in November of each  
1-21 even-numbered year, the appropriate number of directors shall be  
1-22 elected [The county judge and each county commissioner serves as a  
1-23 director as an additional duty of service on the commissioners  
1-24 court].

1-25 (d) One director shall be elected by the voters of the  
1-26 entire district, and one director shall be elected from each county  
1-27 commissioners precinct by the voters of that precinct.

1-28 (e) Except as provided by Subsection (g) of this section, to  
1-29 be eligible to be a candidate for or to serve as director at large, a  
1-30 person must be a registered voter in the district. To be a  
1-31 candidate for or to serve as director from a county commissioners  
1-32 precinct, a person must be a registered voter of that precinct.

1-33 (f) A person shall indicate on the application for a place  
1-34 on the ballot:

1-35 (1) the precinct that the person seeks to represent;

1-36 or

1-37 (2) that the person seeks to represent the district at  
1-38 large.

1-39 (g) When the boundaries of the county commissioners  
1-40 precincts are redrawn under Section 18, Article V, Texas  
1-41 Constitution, a director in office on the effective date of the  
1-42 change, or elected or appointed before the effective date of the  
1-43 change to a term of office beginning on or after the effective date  
1-44 of the change, shall serve the term or the remainder of the term in  
1-45 the precinct to which elected or appointed even though the change in  
1-46 boundaries places the person's residence outside the precinct for  
1-47 which the person was elected or appointed.

1-48 SECTION 2. (a) As soon as practicable after the effective  
1-49 date of this Act, the Lampasas County Commissioners Court shall  
1-50 appoint five temporary directors to the board of directors of the  
1-51 Saratoga Underground Water Conservation District. The temporary  
1-52 directors appointed under this section replace the persons serving  
1-53 as directors immediately before the effective date of this Act.

1-54 (b) The commissioners court shall appoint one person to  
1-55 represent the district at large and one person from each county  
1-56 commissioners precinct. To be eligible to be appointed as director  
1-57 at large, a person must be a registered voter in the district. To be  
1-58 eligible to be appointed from a county commissioners precinct, a  
1-59 person must be a registered voter of that precinct.

1-60 (c) The director appointed to represent the district at  
1-61 large and the directors appointed from precincts two and four shall  
1-62 serve until the November uniform election date in 2006. The  
1-63 directors appointed from precincts one and three shall serve until  
1-64 the November uniform election date in 2008.

2-1 SECTION 3. This Act takes effect immediately if it receives  
2-2 a vote of two-thirds of all the members elected to each house, as  
2-3 provided by Section 39, Article III, Texas Constitution. If this  
2-4 Act does not receive the vote necessary for immediate effect, this  
2-5 Act takes effect September 1, 2005.

2-6

\* \* \* \* \*