

Amend **HB 3167**, in Article 13 of the bill (page 319, between lines 5 and 6), by inserting the following:

SECTION 13.0035. (a) Section 5001.001, Special District Local Laws Code, is amended to conform to Section 1, Chapter 81, Acts of the 62nd Legislature, Regular Session, 1971, to read as follows:

Sec. 5001.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Commission" means the navigation and canal commission of the district.

(2) "Commissioner" means a member of the commission.

(3) "District" [~~,"district"~~] means the Aransas County Navigation District No. 1.

(b) Chapter 5001, Special District Local Laws Code, is amended to conform to Chapter 81, Acts of the 62nd Legislature, Regular Session, 1971, by adding Subchapter A-1 to read as follows:

SUBCHAPTER A-1. COMMISSION

Sec. 5001.021. GOVERNING BODY; TERMS. (a) The district is governed by a commission consisting of five commissioners, each elected to a navigation and canal commissioner's office by number.

(b) Commissioners serve two-year terms.

Sec. 5001.022. QUALIFICATIONS. To be eligible for election to any of the following offices, a person must have the following qualifications:

(1) for the office of Navigation and Canal Commissioner No. 1, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 1;

(2) for the office of Navigation and Canal Commissioner No. 2, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 2;

(3) for the office of Navigation and Canal Commissioner No. 3, a person must reside in and be a freehold property taxpaying voter of Aransas County Commissioners' Precinct No. 3;

(4) for the office of Navigation and Canal Commissioner No. 4, a person must reside in and be a freehold

property taxpaying voter of Aransas County Commissioners' Precinct No. 4; and

(5) for the office of Navigation and Canal Commissioner No. 5, a person must reside in and be a freehold property taxpaying voter of Aransas County.

Sec. 5001.023. ELECTION OF COMMISSIONERS. On a uniform election date in each odd-numbered year, five commissioners shall be elected.

Sec. 5001.024. NOTICE OF ELECTION. The secretary of the commission shall give notice of an election by posting or publishing the notice for at least 20 days before the date of the election.

Sec. 5001.025. VACANCIES. (a) A vacancy in the office of a commissioner that occurs for any reason shall be filled by the remaining members of the commission except as provided by this section.

(b) If three or more vacancies in commissioners' offices occur at the same time, a special election may be called as provided by Section 62.066, Water Code.

Sec. 5001.026. REMOVAL FROM OFFICE. (a) A commissioner may be removed from office for malfeasance or nonfeasance in office by unanimous vote of the commissioners court of Aransas County after a hearing.

(b) Appeal from a judgment of removal may be taken to a district court in Aransas County. The court shall try the case de novo.

(c) Section 5001.051, Special District Local Laws Code, is amended to read as follows:

Sec. 5001.051. DEFINITION [~~DEFINITIONS~~]. In this subchapter, "fund" [~~+~~

~~(1) "Commission" means the navigation and canal commission of the district.~~

~~(2) "Fund"~~ means a promotion and development fund created by the district.