

BILL ANALYSIS

H.B. 2653
By: Harless
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an emergency services district (ESD) located wholly within one county is governed by a five member board, appointed by the commissioners court. In highly urbanized counties, ESD's provide a wide array of services to an ever-increasing population in the unincorporated area. The commissioners of an ESD oversee substantial budgets and are authorized to acquire and own property, enter into contracts, appoint and employ officers and employees, borrow money and issue bonds, enact fire code requirements, and perform other acts necessary to carry out their responsibilities under Chapter 775 of the Health and Safety Code. Also of concern to the public they serve, ESD commissioners impose and collect taxes. Yet the appointing body, the commissioners court, has virtually no statutory authority over the board or operations of an ESD. The commissioners court's sole power consists of the power of appointment. Under our representative form of government, the broad administrative and regulatory powers granted to ESD boards are usually reserved to officials who are elected. ESD boards in highly urbanized counties of more than three million should be elected and accountable to the people they serve.

H.B. 2653 would address this concern by providing for the election of Emergency Service District commissioners in a county of more than three million.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2653 amends the Health and Safety Code to provide for the election of a five member Emergency Service District governing board in a county of more than three million and setting the term of service at two years. In addition, the bill defines reasons for disqualification from service on an emergency service district board, and upon passage, would allow for current emergency service district commissioners to complete an existing term of service, and to run for an elective position.

EFFECTIVE DATE

September 1, 2007.