

BILL ANALYSIS

Senate Research Center
80R9436 MXM-D

H.B. 3407
By: Hamilton (Nichols)
Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, emergency services district (districts) boards must be elected if they border two counties. Districts that have a very small population also operate on a limited budget. Holding an election uses a large percentage of that budget and the money could be better used in supplying protection for that community.

H.B. 3407 requires, in a district composed of a county with a population of less than 21,000 and a county with a population of more than 47,400, the commissioners court of the largest county in which the district is located to appoint a five-member board of emergency commissioners to serve as the district's governing body.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 776, Health and Safety Code, by adding Section 776.0345, as follows:

Sec. 776.0345. APPOINTMENT OF BOARD IN DISTRICT LOCATED IN MORE THAN ONE COUNTY. (a) Provides that Section 776.034 does not apply to a district that exists on the effective date of the Act creating this section and that is located in two certain counties.

(b) Requires the commissioners court of the largest county in which the district is located to appoint a five-member board of emergency commissioners to serve as the district's governing body. Provides that a commissioner serves a two-year term.

(c) Requires a person to be at least 18 years of age and reside in the district to be eligible for appointment as an emergency commissioner under this section. Requires two commissioners to reside in a county with a population of less than 21,000 and three commissioners to reside in a county with a population of more than 47,400.

(d) Requires the commissioners court, on January 1 of each year, to appoint a successor for each emergency commissioner whose term has expired.

(e) Requires the commissioners court to fill a vacancy on the board for the remainder of the unexpired term.

SECTION 2. (a) Defines "board" and "district."

(b) Provides that, on the effective date of this Act, the district's board is abolished.

(c) Requires the commissioners court of the largest county in which the district is located to appoint an initial appointed board for the district by a certain method.

(d) Requires one commissioner appointed under Subsection (c)(1) to reside in a county with a population of less than 21,000, and one commissioner to reside in a county with a population of more than 47,400.

(e) Requires one commissioner appointed under Subsection (c)(2) to reside in a county with a population of less than 21,000, and two commissioners to reside in a county with a population of more than 47,400.

SECTION 3. Effective date: upon passage or September 1, 2007.