

By: Hamilton

H.B. No. 1819

Substitute the following for H.B. No. 1819:

By: Smith of Harris

C.S.H.B. No. 1819

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the election of board members in emergency services  
3 districts located wholly in certain less populous counties.

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

5 SECTION 1. Subchapter C, Chapter 776, Health and Safety  
6 Code, is amended by adding Sections 776.0335 and 776.0336 to read as  
7 follows:

8 Sec. 776.0335. ELECTION OF BOARD IN DISTRICT LOCATED IN ONE  
9 COUNTY. (a) This section applies only to a county that borders or  
10 contains a portion of the Neches River, the Sabine River, and Sabine  
11 Lake.

12 (b) The governing body of a district converted under Section  
13 776.0336 and wholly located in the county consists of a five-person  
14 board of emergency commissioners elected at large as prescribed by  
15 this section. Except as provided by Subsection (f), an emergency  
16 commissioner serves a two-year term.

17 (c) After the district is converted, the county judge may  
18 order an election to elect the initial emergency commissioners at  
19 the next available uniform election date that allows sufficient  
20 time to comply with other requirements of law.

21 (d) To be eligible as a candidate for emergency commissioner  
22 for the district, a person must be at least 18 years of age and a  
23 resident of the district.

24 (e) A candidate for emergency commissioner must give the

1 county clerk a sworn notice of the candidate's intention to run for  
2 office. The notice must state the person's name, age, and address  
3 and state that the person intends to run for emergency  
4 commissioner. On receipt of the notice, the county clerk shall have  
5 the candidate's name placed on the ballot.

6 (f) The two initial emergency commissioners who received  
7 the fewest votes serve one-year terms. The other commissioners  
8 serve two-year terms.

9 (g) After the election is held, the county clerk or the  
10 clerk's deputy shall prepare a sworn statement of the election  
11 costs incurred by the county. The statement shall be given to the  
12 newly elected board, which shall order the appropriate official to  
13 reimburse the county for the county's election costs.

14 (h) The general election for commissioner shall be held  
15 annually on an authorized election date as provided by Chapter 41,  
16 Election Code.

17 Sec. 776.0336. CONVERSION OF APPOINTED BOARD TO ELECTED  
18 BOARD. (a) This section applies only to a county that borders or  
19 contains a portion of the Neches River, the Sabine River, and Sabine  
20 Lake.

21 (b) A board by resolution may convert to an elected board  
22 under Section 776.0335.

23 (c) An emergency services commissioner serving on the board  
24 immediately before the date of the resolution continues to carry  
25 out the board's functions until the election and qualification of a  
26 new commissioner for that position.

27 (d) This section does not prohibit a person who is a

1 commissioner on the date of the resolution from running for  
2 election to the board if the person has the qualifications required  
3 for a member under Section 776.0335.

4 SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2007.