

By: Hamilton

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 a less populous county.

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

14 (b) After the district is converted, the county judge shall
15 order an election to elect the initial emergency commissioners at
16 the next available uniform election date that allows sufficient
17 time to comply with other requirements of law.

18 (c) To be eligible as a candidate for emergency commissioner
19 for the district, a person must be at least 18 years of age and a
20 resident of the district.

21 (d) A candidate for emergency commissioner must give the
22 county clerk a sworn notice of the candidate's intention to run for
23 office. The notice must state the person's name, age, and address
24 and state that the person intends to run for emergency

1 commissioner. On receipt of the notice, the county clerk shall have
2 the candidate's name placed on the ballot.

3 (e) The two initial emergency commissioners who received
4 the fewest votes serve one-year terms. The other commissioners
5 serve two-year terms.

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

11 (g) The general election for commissioner shall be held
12 annually on an authorized election date as provided by Chapter 41,
13 Election Code.

14 Sec. 776.0336. CONVERSION OF APPOINTED BOARD TO ELECTED
15 BOARD. (a) A board by resolution may convert to an elected board
16 under Section 776.0335.

17 (b) An emergency services commissioner serving on the board
18 immediately before the date of the resolution continues to carry
19 out the board's functions until the election and qualification of a
20 new commissioner for that position.

21 (c) This section does not prohibit a person who is a
22 commissioner on the date of the resolution from running for
23 election to the board if the person has the qualifications required
24 for a member under Section 776.0335.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.