

1-1 By: Guillen (Senate Sponsor - Zaffirini) H.B. No. 2072
1-2 (In the Senate - Received from the House May 9, 2007;
1-3 May 10, 2007, read first time and referred to Committee on Natural
1-4 Resources; May 16, 2007, reported favorably by the following vote:
1-5 Yeas 10, Nays 0; May 16, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the appointment of temporary directors and the
1-9 confirmation election of the Starr County Groundwater Conservation
1-10 District.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 8803, Special District
1-13 Local Laws Code, is amended by adding Section 8803.004 to read as
1-14 follows:

1-15 Sec. 8803.004. CONFIRMATION ELECTION REQUIRED. If the
1-16 creation of the district is not confirmed at a confirmation
1-17 election held before September 1, 2009:

1-18 (1) the district is dissolved on September 1, 2009,
1-19 except that:

1-20 (A) any debts incurred shall be paid;

1-21 (B) any assets that remain after the payment of
1-22 debts shall be transferred to Starr County; and

1-23 (C) the organization of the district shall be
1-24 maintained until all debts are paid and remaining assets are
1-25 transferred; and

1-26 (2) this chapter expires September 1, 2012.

1-27 SECTION 2. Chapter 8803, Special District Local Laws Code,
1-28 is amended by adding Subchapter A-1 to read as follows:

1-29 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-30 Sec. 8803.021. APPOINTMENT OF TEMPORARY DIRECTORS. (a)
1-31 Not later than the 45th day after the effective date of this
1-32 subchapter, five temporary directors shall be appointed as follows:

1-33 (1) the Starr County Commissioners Court shall appoint
1-34 four temporary directors, with one of the temporary directors
1-35 appointed from each of the four commissioners precincts in the
1-36 county to represent the precinct in which the temporary director
1-37 resides; and

1-38 (2) the county judge of Starr County shall appoint one
1-39 temporary director who resides in the district to represent the
1-40 district at large.

1-41 (b) If there is a vacancy on the temporary board of
1-42 directors of the district, the remaining temporary directors shall
1-43 appoint a person to fill the vacancy in a manner that meets the
1-44 representational requirements of this section.

1-45 (c) Temporary directors serve until the earlier of:

1-46 (1) the time the temporary directors become initial
1-47 directors as provided by Section 8803.024; or

1-48 (2) the date this chapter expires under Section
1-49 8803.004.

1-50 Sec. 8803.022. ORGANIZATIONAL MEETING OF TEMPORARY
1-51 DIRECTORS. As soon as practicable after all the temporary
1-52 directors have qualified under Section 36.055, Water Code, a
1-53 majority of the temporary directors shall convene the
1-54 organizational meeting of the district at a location within the
1-55 district agreeable to a majority of the directors. If an agreement
1-56 on location cannot be reached, the organizational meeting shall be
1-57 at the Starr County Courthouse.

1-58 Sec. 8803.023. CONFIRMATION ELECTION. (a) The temporary
1-59 directors shall hold an election to confirm the creation of the
1-60 district.

1-61 (b) Section 41.001(a), Election Code, does not apply to a
1-62 confirmation election held as provided by this section.

1-63 (c) Except as provided by this section, a confirmation
1-64 election must be conducted as provided by Sections 36.017(b)-(i),

2-1 Water Code, and the Election Code. The provision of Section
2-2 36.017(d), Water Code, relating to the election of permanent
2-3 directors does not apply to a confirmation election under this
2-4 section.

2-5 (d) Starr County may pay for any portion of the costs
2-6 incident to the district's confirmation election.

2-7 Sec. 8803.024. INITIAL DIRECTORS. (a) If creation of the
2-8 district is confirmed at an election held under Section 8803.023,
2-9 the temporary directors of the district become the initial
2-10 directors of the district and serve on the board of directors until
2-11 permanent directors are elected under Section 8803.025.

2-12 (b) The initial directors for county precincts 2 and 3 serve
2-13 a term expiring June 1 following the first regularly scheduled
2-14 election of directors under Section 8803.025, and the initial
2-15 directors for county precincts 1 and 4 serve a term expiring June 1
2-16 following the second regularly scheduled election of directors.
2-17 The at-large director shall serve a term expiring June 1 following
2-18 the second regularly scheduled election of directors.

2-19 Sec. 8803.025. INITIAL ELECTION OF PERMANENT DIRECTORS. On
2-20 the uniform election date prescribed by Section 41.001, Election
2-21 Code, in May of the first even-numbered year after the year in which
2-22 the district is authorized to be created at a confirmation
2-23 election, an election shall be held in the district for the election
2-24 of two directors to replace the initial directors who, under
2-25 Section 8803.024(b), serve a term expiring June 1 following that
2-26 election.

2-27 Sec. 8803.026. EXPIRATION OF SUBCHAPTER. This subchapter
2-28 expires September 1, 2012.

2-29 SECTION 3. Sections 5, 6, 7, 8, 9, and 11, Chapter 451, Acts
2-30 of the 79th Legislature, Regular Session, 2005, are repealed.

2-31 SECTION 4. This Act takes effect immediately if it receives
2-32 a vote of two-thirds of all the members elected to each house, as
2-33 provided by Section 39, Article III, Texas Constitution. If this
2-34 Act does not receive the vote necessary for immediate effect, this
2-35 Act takes effect September 1, 2007.

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