

By: Hamilton

H.B. No. 3407

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of emergency services boards in districts located in more than one county.

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

SECTION 1. Subchapter C, Chapter 776, Health and Safety Code, is amended by adding Section 776.0345 to read as follows:

Sec. 776.0345. APPOINTMENT OF BOARD IN DISTRICT LOCATED IN MORE THAN ONE COUNTY. (a) 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:

(1) in a county with a population of less than 21,000;

and

(2) in a county with a population of more than 47,400.

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

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

(d) On January 1 of each year, the commissioners court shall

1 appoint a successor for each emergency commissioner whose term has  
2 expired.

3 (e) The commissioners court shall fill a vacancy on the  
4 board for the remainder of the unexpired term.

5 SECTION 2. (a) In this section:

6 (1) "Board" means a board of emergency commissioners  
7 for an emergency services district.

8 (2) "District" means an emergency services district to  
9 which Section 776.0345, Health and Safety Code, as added by this  
10 Act, applies.

11 (b) On the effective date of this Act, the district's board  
12 is abolished.

13 (c) The commissioners court of the largest county in which  
14 the district is located shall appoint an initial appointed board  
15 for the district as follows:

16 (1) two commissioners to serve a term that expires  
17 January 1, 2008; and

18 (2) three commissioners to serve a term that expires  
19 January 1, 2009.

20 (d) One commissioner appointed under Subsection (c)(1) must  
21 reside in a county with a population of less than 21,000, and one  
22 commissioner must reside in a county with a population of more than  
23 47,400.

24 (e) One commissioner appointed under Subsection (c)(2) must  
25 reside in a county with a population of less than 21,000, and two  
26 commissioners must reside in a county with a population of more than  
27 47,400.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2007.