

1-1 By: Hamilton (Senate Sponsor - Nichols) H.B. No. 3407
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 18, 2007, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the appointment of emergency services boards in
1-10 districts located in more than one county.

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

1-12 SECTION 1. Subchapter C, Chapter 776, Health and Safety
1-13 Code, is amended by adding Section 776.0345 to read as follows:

1-14 Sec. 776.0345. APPOINTMENT OF BOARD IN DISTRICT LOCATED IN
1-15 MORE THAN ONE COUNTY. (a) Section 776.034 does not apply to a
1-16 district that exists on the effective date of the Act creating this
1-17 section and that is located:

1-18 (1) in a county with a population of less than 21,000;
1-19 and

1-20 (2) in a county with a population of more than 47,400.

1-21 (b) The commissioners court of the largest county in which
1-22 the district is located shall appoint a five-member board of
1-23 emergency commissioners to serve as the district's governing body.
1-24 A commissioner serves a two-year term.

1-25 (c) To be eligible for appointment as an emergency
1-26 commissioner under this section, a person must be at least 18 years
1-27 of age and reside in the district. Two commissioners must reside in
1-28 a county with a population of less than 21,000 and three
1-29 commissioners must reside in a county with a population of more than
1-30 47,400.

1-31 (d) On January 1 of each year, the commissioners court shall
1-32 appoint a successor for each emergency commissioner whose term has
1-33 expired.

1-34 (e) The commissioners court shall fill a vacancy on the
1-35 board for the remainder of the unexpired term.

1-36 SECTION 2. (a) In this section:

1-37 (1) "Board" means a board of emergency commissioners
1-38 for an emergency services district.

1-39 (2) "District" means an emergency services district to
1-40 which Section 776.0345, Health and Safety Code, as added by this
1-41 Act, applies.

1-42 (b) On the effective date of this Act, the district's board
1-43 is abolished.

1-44 (c) The commissioners court of the largest county in which
1-45 the district is located shall appoint an initial appointed board
1-46 for the district as follows:

1-47 (1) two commissioners to serve a term that expires
1-48 January 1, 2008; and

1-49 (2) three commissioners to serve a term that expires
1-50 January 1, 2009.

1-51 (d) One commissioner appointed under Subsection (c)(1) must
1-52 reside in a county with a population of less than 21,000, and one
1-53 commissioner must reside in a county with a population of more than
1-54 47,400.

1-55 (e) One commissioner appointed under Subsection (c)(2) must
1-56 reside in a county with a population of less than 21,000, and two
1-57 commissioners must reside in a county with a population of more than
1-58 47,400.

1-59 SECTION 3. This Act takes effect immediately if it receives
1-60 a vote of two-thirds of all the members elected to each house, as
1-61 provided by Section 39, Article III, Texas Constitution. If this
1-62 Act does not receive the vote necessary for immediate effect, this
1-63 Act takes effect September 1, 2007.

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