

By: Otto, Hill, Kolckhorst, Ritter, Thompson,  
et al.

H.B. No. 3491

A BILL TO BE ENTITLED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

AN ACT

relating to the qualifications and selection of the board of directors of an appraisal district.

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

SECTION 1. Section 6.03, Tax Code, is amended by amending Subsections (a), (c), and (l) and adding Subsections (a-1), (a-2), (a-3), (a-4), and (a-5) to read as follows:

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by Subsections (c)-(k) [~~this section~~].

(a-1) At least two positions on the board of directors must each be held by an individual who is not an officer or employee of a taxing unit that participates in the district or a former employee of a taxing unit that participates in the district who draws a pension from a participating taxing unit. If after the selection of five directors as provided by Subsections (c)-(k) there are not at least two directors who qualify under this subsection, the taxing units that participate in the district shall jointly appoint the necessary number of additional directors who are qualified under this subsection. A vacancy in a position for which a member is appointed under this subsection shall be filled in the same manner as the original appointment if it is necessary to fill the vacancy to comply with the membership requirement of this subsection.

1           (a-2) If the county assessor-collector is not appointed to  
2 the board, the county assessor-collector serves as a nonvoting  
3 director. The county assessor-collector is ineligible to serve if  
4 the board enters into a contract under Section 6.05(b) or if the  
5 commissioners court of the county enters into a contract under  
6 Section 6.24(b).

7           (a-3) To be eligible to serve on the board of directors, an  
8 individual other than a county assessor-collector serving as a  
9 nonvoting director must be a resident of the district and must have  
10 resided in the district for at least two years immediately  
11 preceding the date the individual takes office.

12           (a-4) An individual who is otherwise eligible to serve on  
13 the board is not ineligible because of membership on the governing  
14 body of a taxing unit. An employee of a taxing unit that  
15 participates in the district is not eligible to serve on the board  
16 unless the individual is also a member of the governing body or an  
17 elected official of a taxing unit that participates in the  
18 district.

19           (a-5) An individual who has served for all or part of three  
20 consecutive terms on the board is ineligible to serve on the board  
21 during the term that begins on the next January 1 following the  
22 third of those consecutive terms.

23           (c) Members of the board of directors other than a county  
24 assessor-collector serving as a nonvoting director and other than a  
25 member appointed under Subsection (a-1) are appointed by vote of  
26 the governing bodies of the incorporated cities and towns, the  
27 school districts, and, if entitled to vote, the conservation and

1 reclamation districts that participate in the district and of the  
2 county. A governing body may cast all its votes for one candidate  
3 or distribute them among candidates for any number of  
4 directorships. Conservation and reclamation districts are not  
5 entitled to vote unless at least one conservation and reclamation  
6 district in the district delivers to the chief appraiser a written  
7 request to nominate and vote on the board of directors by June 1 of  
8 each odd-numbered year. On receipt of a request, the chief  
9 appraiser shall certify a list by June 15 of all eligible  
10 conservation and reclamation districts that are imposing taxes and  
11 that participate in the district.

12 (1) If a vacancy occurs on the board of directors other than  
13 a vacancy in the position held by a county assessor-collector  
14 serving as a nonvoting director and other than a position filled by  
15 appointment under Subsection (a-1), each taxing unit that is  
16 entitled to vote under Subsections (c)-(k) [~~by this section~~] may  
17 nominate by resolution adopted by its governing body a candidate to  
18 fill the vacancy. The unit shall submit the name of its nominee to  
19 the chief appraiser within 45 days after notification from the  
20 board of directors of the existence of the vacancy, and the chief  
21 appraiser shall prepare and deliver to the board of directors  
22 within the next five days a list of the nominees. The board of  
23 directors shall elect by majority vote of its members one of the  
24 nominees to fill the vacancy.

25 SECTION 2. The change in law made by this Act does not  
26 affect the right of a person serving on the board of directors of an  
27 appraisal district on the effective date of this Act to complete the

1 person's term on the board.

2 SECTION 3. This Act takes effect September 1, 2007.