

1-1 By: Otto, et al. (Senate Sponsor - Williams) H.B. No. 3491
1-2 (In the Senate - Received from the House April 30, 2007;
1-3 May 2, 2007, read first time and referred to Committee on Finance;
1-4 May 19, 2007, reported favorably by the following vote: Yeas 10,
1-5 Nays 1; May 19, 2007, sent to printer.)

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

1-8 relating to the qualifications and selection of the board of
1-9 directors of an appraisal district.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 6.03, Tax Code, is amended by amending
1-12 Subsections (a), (c), and (l) and adding Subsections (a-1), (a-2),
1-13 (a-3), (a-4), and (a-5) to read as follows:

1-14 (a) The appraisal district is governed by a board of
1-15 directors. Five directors are appointed by the taxing units that
1-16 participate in the district as provided by Subsections (c)-(k)
1-17 [~~this section~~].

1-18 (a-1) At least two positions on the board of directors must
1-19 each be held by an individual who is not an officer or employee of a
1-20 taxing unit that participates in the district or a former employee
1-21 of a taxing unit that participates in the district who draws a
1-22 pension from a participating taxing unit. If after the selection of
1-23 five directors as provided by Subsections (c)-(k) there are not at
1-24 least two directors who qualify under this subsection, the taxing
1-25 units that participate in the district shall jointly appoint the
1-26 necessary number of additional directors who are qualified under
1-27 this subsection. A vacancy in a position for which a member is
1-28 appointed under this subsection shall be filled in the same manner
1-29 as the original appointment if it is necessary to fill the vacancy
1-30 to comply with the membership requirement of this subsection.

1-31 (a-2) If the county assessor-collector is not appointed to
1-32 the board, the county assessor-collector serves as a nonvoting
1-33 director. The county assessor-collector is ineligible to serve if
1-34 the board enters into a contract under Section 6.05(b) or if the
1-35 commissioners court of the county enters into a contract under
1-36 Section 6.24(b).

1-37 (a-3) To be eligible to serve on the board of directors, an
1-38 individual other than a county assessor-collector serving as a
1-39 nonvoting director must be a resident of the district and must have
1-40 resided in the district for at least two years immediately
1-41 preceding the date the individual takes office.

1-42 (a-4) An individual who is otherwise eligible to serve on
1-43 the board is not ineligible because of membership on the governing
1-44 body of a taxing unit. An employee of a taxing unit that
1-45 participates in the district is not eligible to serve on the board
1-46 unless the individual is also a member of the governing body or an
1-47 elected official of a taxing unit that participates in the
1-48 district.

1-49 (a-5) An individual who has served for all or part of three
1-50 consecutive terms on the board is ineligible to serve on the board
1-51 during the term that begins on the next January 1 following the
1-52 third of those consecutive terms.

1-53 (c) Members of the board of directors other than a county
1-54 assessor-collector serving as a nonvoting director and other than a
1-55 member appointed under Subsection (a-1) are appointed by vote of
1-56 the governing bodies of the incorporated cities and towns, the
1-57 school districts, and, if entitled to vote, the conservation and
1-58 reclamation districts that participate in the district and of the
1-59 county. A governing body may cast all its votes for one candidate
1-60 or distribute them among candidates for any number of
1-61 directorships. Conservation and reclamation districts are not
1-62 entitled to vote unless at least one conservation and reclamation
1-63 district in the district delivers to the chief appraiser a written
1-64 request to nominate and vote on the board of directors by June 1 of

each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

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

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

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

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