

By: Garcia

H.B. No. 4128

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election of directors of the San Patricio County
3 Groundwater Conservation District and to the validation of certain
4 acts of the district.

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

6 SECTION 1. Subchapter B, Chapter 8817, Special District
7 Local Laws Code, is amended by adding Section 8817.053 to read as
8 follows:

9 Sec. 8817.053. METHOD OF ELECTING DIRECTORS: JUSTICE OF
10 THE PEACE PRECINCTS. (a) The directors of the district shall be
11 elected according to the precinct method as provided by this
12 section.

13 (b) One director shall be elected by the voters of the
14 entire district, and one director shall be elected from each
15 justice of the peace precinct by the voters of that precinct.

16 (c) Except as provided by Subsection (e), to be eligible to
17 be a candidate for or to serve as director at large, a person must be
18 a registered voter in the district. To be a candidate for or to
19 serve as director from a justice of the peace precinct, a person
20 must be a registered voter of that precinct.

21 (d) A person shall indicate on the application for a place
22 on the ballot:

23 (1) the precinct that the person seeks to represent;
24 or

1 (2) that the person seeks to represent the district at
2 large.

3 (e) When the boundaries of the justice of the peace
4 precincts are redrawn after each federal decennial census to
5 reflect population changes, a director in office on the effective
6 date of the change, or a director elected or appointed before the
7 effective date of the change whose term of office begins on or after
8 the effective date of the change, shall serve in the precinct to
9 which elected or appointed even though the change in boundaries
10 places the person's residence outside the precinct for which the
11 person was elected or appointed.

12 SECTION 2. (a) The following actions of the San Patricio
13 County Groundwater Conservation District are validated and
14 confirmed in all respects as if the actions had been done as
15 authorized by law:

16 (1) all acts and proceedings of the district taken
17 before the effective date of this Act; and

18 (2) the election or appointment of directors or other
19 officers of the district who took office before the effective date
20 of this Act.

21 (b) A governmental act or proceeding of the San Patricio
22 County Groundwater Conservation District occurring after an act or
23 proceeding validated by this Act may not be held invalid on the
24 ground that the prior act or proceeding, in the absence of this Act,
25 was invalid.

26 (c) This section does not apply to any matter that on the
27 effective date of this Act:

1 (1) is involved in litigation if the litigation
2 ultimately results in the matter being held invalid by a final
3 judgment of a court of competent jurisdiction; or

4 (2) has been held invalid by a final judgment of a
5 court of competent jurisdiction.

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