

AN ACT

relating to the board of directors of a regional tollway authority.

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

SECTION 1. Section 366.251, Transportation Code, is amended by amending Subsection (c) and adding Subsections (c-1) and (d-1) to read as follows:

(c) In addition to directors appointed by a commissioners court under Subsection (b), the commissioners courts of each county [~~those counties~~] of the authority [~~in which all or part of a turnpike project is located and open for use by the traveling public~~] shall appoint one [~~two~~] additional director if the county is [~~directors as follows~~]:

(1) a [~~if the open turnpike project is located entirely in one~~] county [~~, the commissioners court of~~] that created the authority under Section 366.031 [~~county shall appoint the two additional directors~~]; or

(2) a county in which all or part of a [~~if the open~~] turnpike project of not less than 10 centerline miles in length is located and has been open for use by the traveling public for at least three years [~~in two counties of the authority, the commissioners court of each county shall appoint one of the additional directors, or~~

[~~(3) if the open turnpike project is located in more than two counties, the commissioners court of each county in which~~

1 ~~the project is located shall appoint one additional director on a~~  
2 ~~rotating basis and in accordance with a schedule agreed to and~~  
3 ~~approved by concurrent resolutions adopted by the commissioners~~  
4 ~~courts of at least three-fourths of the counties of the authority].~~

5 (c-1) The commissioners court of a county eligible to  
6 appoint an additional director under Subsection (c) shall ensure  
7 that each director appointed by that commissioners court resides in  
8 a different geographic region in that county. To the extent  
9 possible, appointments to the board must reflect the diversity of  
10 the population of the various counties.

11 (d-1) If one or more directors are subsequently appointed to  
12 the board, the directors other than the subsequent appointees shall  
13 determine the length of the appointees' terms, to comply with  
14 Subsection (d).

15 SECTION 2. Subsection (f), Section 366.251, Transportation  
16 Code, is repealed.

17 SECTION 3. The change in law made by this Act does not  
18 affect the term of a member of the board of directors serving on the  
19 effective date of this Act. Members appointed to fill vacancies  
20 occurring on or after the effective date of this Act must be  
21 appointed in accordance with Section 366.251, Transportation Code,  
22 as amended by this Act.

23 SECTION 4. The change in law made by this Act does not  
24 prohibit a person who is a member of a regional tollway authority  
25 board of directors before the effective date of this Act from being  
26 appointed as a member of the board under the new composition of the  
27 board of a regional tollway authority if the person has the

1 qualifications required for the position under Section 366.251,  
2 Transportation Code, as amended by this Act, and otherwise under  
3 Chapter 366, Transportation Code.

4 SECTION 5. This Act takes effect September 1, 2007.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 964 passed the Senate on April 12, 2007, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 26, 2007, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 964 passed the House, with amendment, on May 23, 2007, by the following vote: Yeas 144, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor