

1-1 By: Zaffirini S.B. No. 1501
1-2 (In the Senate - Filed March 8, 2007; March 20, 2007, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 11, 2007, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 11, 2007, sent to printer.)

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

1-8 relating to the removal of an emergency services district board
1-9 member by a county commissioners court.

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

1-11 SECTION 1. Subchapter C, Chapter 775, Health and Safety
1-12 Code, is amended by adding Section 775.0422 to read as follows:

1-13 Sec. 775.0422. REMOVAL OF BOARD MEMBER BY COMMISSIONERS
1-14 COURT FOR FAILURE TO GIVE REPORT OR FILE AUDIT. (a) The
1-15 commissioners court of the county in which a district is located may
1-16 remove one or more board members by majority vote if the board has
1-17 failed to give the report required by Section 775.036(a)(4) to, or
1-18 file the audit report required by Section 775.082(b) with, the
1-19 commissioners court before the 91st day after the date on which the
1-20 report or audit was due under those sections.

1-21 (b) For a district located in more than one county, each
1-22 commissioners court must vote for the removal under this section.

1-23 (c) The validity of a board action is not affected because
1-24 it is taken when a ground for removal of a board member exists.

1-25 SECTION 2. The heading to Section 775.042, Health and
1-26 Safety Code, is amended to read as follows:

1-27 Sec. 775.042. REMOVAL OF BOARD MEMBER BY BOARD.

1-28 SECTION 3. Section 775.0422, Health and Safety Code, as
1-29 added by this Act, applies only to a report or audit due on or after
1-30 the effective date of this Act.

1-31 SECTION 4. This Act takes effect immediately if it receives
1-32 a vote of two-thirds of all the members elected to each house, as
1-33 provided by Section 39, Article III, Texas Constitution. If this
1-34 Act does not receive the vote necessary for immediate effect, this
1-35 Act takes effect September 1, 2007.

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