

By: Duncan

S.B. No. 1605

A BILL TO BE ENTITLED

AN ACT

relating to the selection of the board of directors of an appraisal district established for certain counties.

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

SECTION 1. Section 6.03, Tax Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a) or any change in the method or procedure for appointing directors adopted under Section 6.031 before the date this subsection becomes effective, in an appraisal district established for a county with a population of less than 5,000, one director is appointed by the governing body of the most populous municipality that participates in the district, excluding the population of any portion of a municipality for which another appraisal district appraises property. The governing body of the municipality shall make the appointment by resolution and submit the resolution to the chief appraiser before December 15. If a vacancy occurs on the board of directors in the position held by the member appointed by the governing body, the governing body shall appoint a person to fill the vacancy. The governing body may recall a member appointed by the governing body by submitting a resolution to the chief appraiser stating that the municipality is recalling the member. A change under Section 6.031 made after this subsection becomes effective is not valid if the governing body adopts a resolution opposing the change and files it with the chief

1 appraiser. The municipality is considered to be a taxing unit  
 2 entitled to vote on the appointment of board members for purposes of  
 3 Section 6.034. The other directors are appointed in the manner  
 4 otherwise applicable to the district under this section or Section  
 5 6.031 by the other taxing units that participate in the appraisal  
 6 district. If those directors are appointed as provided by this  
 7 section, the total dollar amount of taxes imposed in the district by  
 8 the municipality is excluded from the calculation of the voting  
 9 entitlements of the other taxing units. The governing body of the  
 10 municipality may not participate in a vote to fill a vacancy in a  
 11 position on the board held by a member appointed by the other taxing  
 12 units or to recall a member of the board appointed by the other  
 13 taxing units.

14 SECTION 2. (a) The change in law made by this Act applies  
 15 only to the selection of appraisal district directors for terms  
 16 beginning on or after January 1, 2008. The change in law made by  
 17 this Act does not affect the selection of appraisal district  
 18 directors for terms beginning before that date.

19 (b) If the directors of an appraisal district described by  
 20 Section 6.03(a-1), Tax Code, as added by this Act, serve staggered  
 21 terms, one of the directors must be appointed by the governing body  
 22 of the most populous municipality that participates in the district  
 23 at:

24 (1) the first election of directors after the  
 25 effective date of this Act, if the board of directors consists of an  
 26 even number of directors; or

27 (2) the first election of directors after the

1 effective date of this Act at which the greater number of directors  
2 is elected, if the board of directors consists of an odd number of  
3 directors.

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