

BILL ANALYSIS

C.S.H.B. 2529
By: Harless
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

H.B. 2653, 80th Legislature, Regular Session, 2007, changed the governing body of an emergency service district in Harris County from an appointed board to an elected board.

Under the current structure, board commissioner elections must be held every year in keeping with the staggered seat assignments for the district boards. There was discussion when H.B. 2653 was being debated about changing the terms of office for the boards from two-year terms to four-year terms.

Under Section 30, Article XVI, Texas Constitution, the duration of all public terms of office is two years unless otherwise provided in the constitution. The district board commissioners currently serve two-year terms.

C.S.H.B. 2529 changes the term of office of an emergency services district commissioner from two years to four years to allow elections to be held every two years.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2529 amends the Health and Safety Code to increase, from two years to four years, the term of service for an emergency services commissioner of an emergency services district located wholly in a county with a population of more than three million or located in more than one county, and makes conforming changes.

C.S.H.B. 2529 establishes that its provisions do not affect the entitlement of a person who is a commissioner serving on an emergency services board immediately before the effective date to continue to carry out the board's functions for the remainder of the commissioner's term. The bill does not prohibit a person who is serving as a commissioner on or after the effective date from running for election to the board if the person has qualifications required for a board member or from continuing to serve until the election and qualification of a new commissioner for that commissioner's position.

C.S.H.B. 2529 clarifies that an emergency services commissioner elected at any election held between July 1, 2007, and December 31, 2007, shall serve until the November 2009 election; a commissioner elected at any election between January 1, 2008, and June 30, 2008, shall serve until the May 2010 election; a commissioner elected at any election held between July 1, 2008, and December 31, 2008, shall serve until the November 2010 election; a commissioner elected at any election held between January 1, 2009, and June 30, 2009, shall serve until the May 2012 election; and a commissioner elected between July 1, 2009, and December 31, 2009, shall serve until the November 2012 election.

EFFECTIVE DATE

January 1, 2010, if the constitutional amendment to allow the legislature to provide for members of a governing board of an emergency services district to serve terms not to exceed four years is approved by the voters.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2529 differs from the original by clarifying that officers elected in 2009 shall serve until the appropriate date in 2012, rather than 2011.