

AN ACT

relating to the terms of office of commissioners of certain emergency services districts.

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

SECTION 1. Sections 775.0345(b), (h), and (i), Health and Safety Code, are amended to read as follows:

(b) The governing body of a district consists of a five-person board of emergency services commissioners elected as prescribed by this section. Except as provided by Subsection (h), emergency services commissioners serve four-year ~~[two-year]~~ terms.

(h) The initial emergency services commissioners' terms of office begin 30 days after canvassing of the election results. The two commissioners who received the fewest votes serve a term that expires on December 31 of the second year following the year in which the election was held. The other emergency services commissioners serve terms that expire on December 31 of the fourth year following the year in which the election was held.

(i) The board shall hold the general election for commissioner every two years ~~[annually]~~ on an authorized uniform election date as provided by Chapter 41, Election Code. The board may change the election date from one authorized election date to another authorized election date and shall adjust the terms of office to conform to the new election date.

SECTION 2. Sections 775.035(a), (g), and (h), Health and

Safety Code, are amended to read as follows:

(a) The governing body of a district located in more than one county consists of a five-person board of emergency services commissioners elected as prescribed by this section. Except as provided by Subsection (g), emergency services commissioners serve four-year [~~two-year~~] terms.

(g) The initial emergency services commissioners' terms of office begin 30 days after canvassing of the election results. The two commissioners who received the fewest votes serve a term that expires on December 31 of the second year following the year in which the election was held. The other emergency services commissioners serve terms that expire on December 31 of the fourth year following the year in which the election was held.

(h) The general election for commissioner shall be held every two years [~~annually~~] on an authorized uniform election date as provided by Chapter 41, Election Code. The board may change the election date from one authorized election date to another authorized election date and shall adjust the terms of office to conform to the new election date.

SECTION 3. (a) The changes in law made by this Act do not affect the entitlement of a person who is a commissioner serving on an emergency services board immediately before the effective date of this Act to continue to carry out the board's functions for the remainder of the commissioner's term.

(b) This Act does not prohibit a person who is serving as a commissioner on or after the effective date of this Act from:

(1) running for election to the board if the person has

1 qualifications required for a board member under Section 775.0345  
2 or 775.035, Health and Safety Code, as amended by this Act; or

3 (2) continuing to serve until the election and  
4 qualification of a new commissioner for that commissioner's  
5 position.

6 (c) Sections 775.0345 and 775.035, Health and Safety Code,  
7 as amended by this Act, govern all elections held after December 31,  
8 2009. An emergency services commissioner elected at any election  
9 held between July 1, 2007, and December 31, 2007, shall serve until  
10 the November 2009 election. Commissioners elected at any election  
11 between January 1, 2008, and June 30, 2008, shall serve until the  
12 May 2010 election. Commissioners elected at any election held  
13 between July 1, 2008, and December 31, 2008, shall serve until the  
14 November 2010 election. Commissioners elected at any election held  
15 between January 1, 2009, and June 30, 2009, shall serve until the  
16 May 2012 election. Commissioners elected between July 1, 2009, and  
17 December 31, 2009, shall serve until the November 2012 election.

18 SECTION 4. This Act takes effect January 1, 2010, but only  
19 if the constitutional amendment proposed by the 81st Legislature,  
20 Regular Session, 2009, to allow the legislature to provide for  
21 members of a governing board of an emergency services district to  
22 serve terms not to exceed four years is approved by the voters. If  
23 that amendment is not approved by the voters, this Act has no  
24 effect.

H.B. No. 2529

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2529 was passed by the House on April 30, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2529 was passed by the Senate on May 21, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor