

1-1 By: Creighton (Senate Sponsor - Williams) H.B. No. 4715  
1-2 (In the Senate - Received from the House May 18, 2009;  
1-3 May 19, 2009, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 23, 2009, reported adversely,  
1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 0; May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4715 By: Nichols

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the terms of temporary directors and to deadlines for  
1-11 elections to confirm the creation of East Montgomery County  
1-12 Municipal Utility Districts Nos. 8, 9, 10, 11, 12, 13, and 14,  
1-13 Montgomery County Municipal Utility Districts Nos. 100 and 101, and  
1-14 Liberty County Municipal Utility District No. 5.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Section 8112.021, Special District Local Laws  
1-17 Code, is amended by amending Subsection (d) and adding Subsections  
1-18 (e) and (f) to read as follows:

1-19 (d) Temporary directors serve until ~~[the earlier of:~~  
1-20 ~~[(1)]~~ the date the directors are elected under Section  
1-21 8112.023~~[, or~~  
1-22 ~~[(2)]~~ the date this chapter expires under Section  
1-23 ~~8112.003]~~.

1-24 (e) If permanent directors have not been elected under  
1-25 Section 8112.023 and the terms of the temporary directors have  
1-26 expired, successor temporary directors shall be appointed or  
1-27 reappointed as provided by Subsection (f) to serve terms that  
1-28 expire on the earlier of:

1-29 (1) the date permanent directors are elected under  
1-30 Section 8112.023; or

1-31 (2) the fourth anniversary of the date of the  
1-32 appointment or reappointment.

1-33 (f) If Subsection (e) applies, the owner or owners of a  
1-34 majority of the assessed value of the real property in the district  
1-35 may submit a petition to the commission requesting that the  
1-36 commission appoint as successor temporary directors the five  
1-37 persons named in the petition. The commission shall appoint as  
1-38 successor temporary directors the five persons named in the  
1-39 petition.

1-40 SECTION 2. Section 8113.021, Special District Local Laws  
1-41 Code, is amended by amending Subsection (d) and adding Subsections  
1-42 (e) and (f) to read as follows:

1-43 (d) Temporary directors serve until ~~[the earlier of:~~  
1-44 ~~[(1)]~~ the date the directors are elected under Section  
1-45 8113.023~~[, or~~  
1-46 ~~[(2)]~~ the date this chapter expires under Section  
1-47 ~~8113.003]~~.

1-48 (e) If permanent directors have not been elected under  
1-49 Section 8113.023 and the terms of the temporary directors have  
1-50 expired, successor temporary directors shall be appointed or  
1-51 reappointed as provided by Subsection (f) to serve terms that  
1-52 expire on the earlier of:

1-53 (1) the date permanent directors are elected under  
1-54 Section 8113.023; or

1-55 (2) the fourth anniversary of the date of the  
1-56 appointment or reappointment.

1-57 (f) If Subsection (e) applies, the owner or owners of a  
1-58 majority of the assessed value of the real property in the district  
1-59 may submit a petition to the commission requesting that the  
1-60 commission appoint as successor temporary directors the five  
1-61 persons named in the petition. The commission shall appoint as  
1-62 successor temporary directors the five persons named in the  
1-63 petition.

2-1 SECTION 3. Section 8114.021, Special District Local Laws  
2-2 Code, is amended by amending Subsection (d) and adding Subsections  
2-3 (e) and (f) to read as follows:

2-4 (d) Temporary directors serve until ~~[the earlier of:~~  
2-5 ~~[(1)]~~ the date the directors are elected under Section  
2-6 8114.023~~[, or~~  
2-7 ~~[(2) the date this chapter expires under Section~~  
2-8 ~~8114.003]~~.

2-9 (e) If permanent directors have not been elected under  
2-10 Section 8114.023 and the terms of the temporary directors have  
2-11 expired, successor temporary directors shall be appointed or  
2-12 reappointed as provided by Subsection (f) to serve terms that  
2-13 expire on the earlier of:

2-14 (1) the date permanent directors are elected under  
2-15 Section 8114.023; or

2-16 (2) the fourth anniversary of the date of the  
2-17 appointment or reappointment.

2-18 (f) If Subsection (e) applies, the owner or owners of a  
2-19 majority of the assessed value of the real property in the district  
2-20 may submit a petition to the commission requesting that the  
2-21 commission appoint as successor temporary directors the five  
2-22 persons named in the petition. The commission shall appoint as  
2-23 successor temporary directors the five persons named in the  
2-24 petition.

2-25 SECTION 4. Section 8115.021, Special District Local Laws  
2-26 Code, is amended by amending Subsection (d) and adding Subsections  
2-27 (e) and (f) to read as follows:

2-28 (d) Temporary directors serve until ~~[the earlier of:~~  
2-29 ~~[(1)]~~ the date the directors are elected under Section  
2-30 8115.023~~[, or~~  
2-31 ~~[(2) the date this chapter expires under Section~~  
2-32 ~~8115.003]~~.

2-33 (e) If permanent directors have not been elected under  
2-34 Section 8115.023 and the terms of the temporary directors have  
2-35 expired, successor temporary directors shall be appointed or  
2-36 reappointed as provided by Subsection (f) to serve terms that  
2-37 expire on the earlier of:

2-38 (1) the date permanent directors are elected under  
2-39 Section 8115.023; or

2-40 (2) the fourth anniversary of the date of the  
2-41 appointment or reappointment.

2-42 (f) If Subsection (e) applies, the owner or owners of a  
2-43 majority of the assessed value of the real property in the district  
2-44 may submit a petition to the commission requesting that the  
2-45 commission appoint as successor temporary directors the five  
2-46 persons named in the petition. The commission shall appoint as  
2-47 successor temporary directors the five persons named in the  
2-48 petition.

2-49 SECTION 5. Section 8116.021, Special District Local Laws  
2-50 Code, is amended by amending Subsection (d) and adding Subsections  
2-51 (e) and (f) to read as follows:

2-52 (d) Temporary directors serve until ~~[the earlier of:~~  
2-53 ~~[(1)]~~ the date the directors are elected under Section  
2-54 8116.023~~[, or~~  
2-55 ~~[(2) the date this chapter expires under Section~~  
2-56 ~~8116.003]~~.

2-57 (e) If permanent directors have not been elected under  
2-58 Section 8116.023 and the terms of the temporary directors have  
2-59 expired, successor temporary directors shall be appointed or  
2-60 reappointed as provided by Subsection (f) to serve terms that  
2-61 expire on the earlier of:

2-62 (1) the date permanent directors are elected under  
2-63 Section 8116.023; or

2-64 (2) the fourth anniversary of the date of the  
2-65 appointment or reappointment.

2-66 (f) If Subsection (e) applies, the owner or owners of a  
2-67 majority of the assessed value of the real property in the district  
2-68 may submit a petition to the commission requesting that the  
2-69 commission appoint as successor temporary directors the five

3-1 persons named in the petition. The commission shall appoint as  
3-2 successor temporary directors the five persons named in the  
3-3 petition.

3-4 SECTION 6. Section 8117.021, Special District Local Laws  
3-5 Code, is amended by amending Subsection (d) and adding Subsections  
3-6 (e) and (f) to read as follows:

3-7 (d) Temporary directors serve until [~~the earlier of:~~  
3-8 [~~(1)~~] the date the directors are elected under Section  
3-9 8117.023[~~, or~~  
3-10 [~~(2) the date this chapter expires under Section~~  
3-11 ~~8117.003~~].

3-12 (e) If permanent directors have not been elected under  
3-13 Section 8117.023 and the terms of the temporary directors have  
3-14 expired, successor temporary directors shall be appointed or  
3-15 reappointed as provided by Subsection (f) to serve terms that  
3-16 expire on the earlier of:

3-17 (1) the date permanent directors are elected under  
3-18 Section 8117.023; or

3-19 (2) the fourth anniversary of the date of the  
3-20 appointment or reappointment.

3-21 (f) If Subsection (e) applies, the owner or owners of a  
3-22 majority of the assessed value of the real property in the district  
3-23 may submit a petition to the commission requesting that the  
3-24 commission appoint as successor temporary directors the five  
3-25 persons named in the petition. The commission shall appoint as  
3-26 successor temporary directors the five persons named in the  
3-27 petition.

3-28 SECTION 7. Section 8118.021, Special District Local Laws  
3-29 Code, is amended by amending Subsection (d) and adding Subsections  
3-30 (e) and (f) to read as follows:

3-31 (d) Temporary directors serve until [~~the earlier of:~~  
3-32 [~~(1)~~] the date the directors are elected under Section  
3-33 8118.023[~~, or~~  
3-34 [~~(2) the date this chapter expires under Section~~  
3-35 ~~8118.003~~].

3-36 (e) If permanent directors have not been elected under  
3-37 Section 8118.023 and the terms of the temporary directors have  
3-38 expired, successor temporary directors shall be appointed or  
3-39 reappointed as provided by Subsection (f) to serve terms that  
3-40 expire on the earlier of:

3-41 (1) the date permanent directors are elected under  
3-42 Section 8118.023; or

3-43 (2) the fourth anniversary of the date of the  
3-44 appointment or reappointment.

3-45 (f) If Subsection (e) applies, the owner or owners of a  
3-46 majority of the assessed value of the real property in the district  
3-47 may submit a petition to the commission requesting that the  
3-48 commission appoint as successor temporary directors the five  
3-49 persons named in the petition. The commission shall appoint as  
3-50 successor temporary directors the five persons named in the  
3-51 petition.

3-52 SECTION 8. Section 8119.021, Special District Local Laws  
3-53 Code, is amended by amending Subsection (d) and adding Subsections  
3-54 (e) and (f) to read as follows:

3-55 (d) Temporary directors serve until [~~the earlier of:~~  
3-56 [~~(1)~~] the date the directors are elected under Section  
3-57 8119.023[~~, or~~  
3-58 [~~(2) the date this chapter expires under Section~~  
3-59 ~~8119.003~~].

3-60 (e) If permanent directors have not been elected under  
3-61 Section 8119.023 and the terms of the temporary directors have  
3-62 expired, successor temporary directors shall be appointed or  
3-63 reappointed as provided by Subsection (f) to serve terms that  
3-64 expire on the earlier of:

3-65 (1) the date permanent directors are elected under  
3-66 Section 8119.023; or

3-67 (2) the fourth anniversary of the date of the  
3-68 appointment or reappointment.

3-69 (f) If Subsection (e) applies, the owner or owners of a

4-1 majority of the assessed value of the real property in the district  
4-2 may submit a petition to the commission requesting that the  
4-3 commission appoint as successor temporary directors the five  
4-4 persons named in the petition. The commission shall appoint as  
4-5 successor temporary directors the five persons named in the  
4-6 petition.

4-7 SECTION 9. Section 8120.021, Special District Local Laws  
4-8 Code, is amended by amending Subsection (d) and adding Subsections  
4-9 (e) and (f) to read as follows:

4-10 (d) Temporary directors serve until [~~the earlier of:~~  
4-11 [~~(1)~~] the date the directors are elected under Section  
4-12 8120.023 [~~, or~~  
4-13 [~~(2) the date this chapter expires under Section~~  
4-14 ~~8120.003~~].

4-15 (e) If permanent directors have not been elected under  
4-16 Section 8120.023 and the terms of the temporary directors have  
4-17 expired, successor temporary directors shall be appointed or  
4-18 reappointed as provided by Subsection (f) to serve terms that  
4-19 expire on the earlier of:

4-20 (1) the date permanent directors are elected under  
4-21 Section 8120.023; or

4-22 (2) the fourth anniversary of the date of the  
4-23 appointment or reappointment.

4-24 (f) If Subsection (e) applies, the owner or owners of a  
4-25 majority of the assessed value of the real property in the district  
4-26 may submit a petition to the commission requesting that the  
4-27 commission appoint as successor temporary directors the five  
4-28 persons named in the petition. The commission shall appoint as  
4-29 successor temporary directors the five persons named in the  
4-30 petition.

4-31 SECTION 10. Section 8185.021, Special District Local Laws  
4-32 Code, is amended by amending Subsection (d) and adding Subsections  
4-33 (e) and (f) to read as follows:

4-34 (d) Temporary directors serve until [~~the earlier of:~~  
4-35 [~~(1)~~] the date the directors are elected under Section  
4-36 8185.023 [~~, or~~  
4-37 [~~(2) the date this chapter expires under Section~~  
4-38 ~~8185.003~~].

4-39 (e) If permanent directors have not been elected under  
4-40 Section 8185.023 and the terms of the temporary directors have  
4-41 expired, successor temporary directors shall be appointed or  
4-42 reappointed as provided by Subsection (f) to serve terms that  
4-43 expire on the earlier of:

4-44 (1) the date permanent directors are elected under  
4-45 Section 8185.023; or

4-46 (2) the fourth anniversary of the date of the  
4-47 appointment or reappointment.

4-48 (f) If Subsection (e) applies, the owner or owners of a  
4-49 majority of the assessed value of the real property in the district  
4-50 may submit a petition to the commission requesting that the  
4-51 commission appoint as successor temporary directors the five  
4-52 persons named in the petition. The commission shall appoint as  
4-53 successor temporary directors the five persons named in the  
4-54 petition.

4-55 SECTION 11. Sections 8112.003, 8112.026, 8113.003,  
4-56 8113.026, 8114.003, 8114.026, 8115.003, 8115.026, 8116.003,  
4-57 8116.026, 8117.003, 8117.026, 8118.003, 8118.026, 8119.003,  
4-58 8119.026, 8120.003, 8120.026, 8185.003, and 8185.026, Special  
4-59 District Local Laws Code, are repealed.

4-60 SECTION 12. (a) The legal notice of the intention to  
4-61 introduce this Act, setting forth the general substance of this  
4-62 Act, has been published as provided by law, and the notice and a  
4-63 copy of this Act have been furnished to all persons, agencies,  
4-64 officials, or entities to which they are required to be furnished  
4-65 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
4-66 Government Code.

4-67 (b) The governor, one of the required recipients, has  
4-68 submitted the notice and Act to the Texas Commission on  
4-69 Environmental Quality.

5-1 (c) The Texas Commission on Environmental Quality has filed  
5-2 its recommendations relating to this Act with the governor, the  
5-3 lieutenant governor, and the speaker of the house of  
5-4 representatives within the required time.

5-5 (d) All requirements of the constitution and laws of this  
5-6 state and the rules and procedures of the legislature with respect  
5-7 to the notice, introduction, and passage of this Act are fulfilled  
5-8 and accomplished.

5-9 SECTION 13. This Act takes effect immediately if it  
5-10 receives a vote of two-thirds of all the members elected to each  
5-11 house, as provided by Section 39, Article III, Texas Constitution.  
5-12 If this Act does not receive the vote necessary for immediate  
5-13 effect, this Act takes effect September 1, 2009.

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