

By: Hilderbran

H.B. No. 4831

A BILL TO BE ENTITLED

AN ACT

relating to the election of the board of directors of the Crockett County Water Control and Improvement District.

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

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9035 to read as follows:

CHAPTER 9035. CROCKETT COUNTY WATER CONTROL AND IMPROVEMENT

DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9035.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a board member.

(3) "District" means the Crockett County Water Control and Improvement District.

[Sections 9035.002-9035.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9035.051. ELECTION OF DIRECTORS. (a) Notwithstanding Section 49.103(b), Water Code, on the uniform election date in November of each even-numbered year, the district shall hold an election to elect the appropriate number of directors to the board.

(b) The election may be held at any location that is in the boundaries of:

(1) the district; and

(2) Crockett County.

1           SECTION 2. (a) All governmental acts and proceedings of the  
2 Crockett County Water Control and Improvement District relating to  
3 the election of members of the board of directors of the district  
4 that were taken before the effective date of this Act are validated,  
5 ratified, and confirmed in all respects as if they had been taken as  
6 authorized by law.

7           (b) This section does not apply to any matter that on the  
8 effective date of this Act:

9                   (1) is involved in litigation if the litigation  
10 ultimately results in the matter being held invalid by a final court  
11 judgment; or

12                   (2) has been held invalid by a final court judgment.

13           SECTION 3. A director of the board of the Crockett County  
14 Water Control and Improvement District who is serving on the day  
15 before the effective date of this Act shall serve until the  
16 director's term expires. A director whose term expires in May 2010  
17 shall serve until the director's successor has qualified following  
18 the directors' election held on the uniform election date in  
19 November 2010 in accordance with Section 9035.051, Special District  
20 Local Laws Code, as added by this Act. A director whose term  
21 expires in May 2012 shall serve until the director's successor has  
22 qualified following the directors' election held on the uniform  
23 election date in November 2012.

24           SECTION 4. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

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

7 (c) The Texas Commission on Environmental Quality has filed  
8 its recommendations relating to this Act with the governor, the  
9 lieutenant governor, and the speaker of the house of  
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this  
12 state and the rules and procedures of the legislature with respect  
13 to the notice, introduction, and passage of this Act are fulfilled  
14 and accomplished.

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