AN ACT

relating to the Middle Trinity Groundwater Conservation District.

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

SECTION 1. Section 2, Chapter 1362, Acts of the 77th
Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 2. DEFINITIONS [DEFINITION]. In this Act:

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

(2) "Director" means a board member.

(3) "District" [, "district"] means the Middle Trinity
Groundwater Conservation District.

SECTION 2. Section 6, Chapter 1362, Acts of the 77th
Legislature, Regular Session, 2001, is amended by amending
Subsection (a) and adding Subsection (g) to read as follows:

(a) Except as provided by Sections [Section] 10, 11A, and
11B of this Act, the district is governed by a board of six
directors.

(g) Section 36.051(a), Water Code, does not apply to the
district.

SECTION 3. Section 9, Chapter 1362, Acts of the 77th
Legislature, Regular Session, 2001, is amended by amending
Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c) of this section and
Sections [Section] 10 and 11B of this Act, three directors shall be
elected from each county in the district.
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(c) The board by resolution may change the number of

directors elected from a county in the district for the purpose of

equalizing representation of the residents of the district.

SECTION 4. Subsection (b), Section 11, Chapter 1362, Acts

of the 77th Legislature, Regular Session, 2001, is amended to read

as follows:

(b) Except as provided by Sections 11A and 11B of this Act,
on [On] the uniform election date [first Saturday] in May of each

even-numbered [subsequent second] year [following the election],

the appropriate number of directors shall be elected.

SECTION 5. Chapter 1362, Acts of the 77th Legislature,

Regular Session, 2001, is amended by adding Section 11A to read as

follows:

Sec. 11A. COMPOSITION OF BOARD AND ELECTION OF DIRECTORS

FOLLOWING ANNEXATION OF ONE OR TWO COUNTIES. (a) This section

applies only following the annexation by the district under

Subchapter J, Chapter 36, Water Code, after January 1, 2009, of the

territory of one or two additional counties.

(b) Not later than the 90th day after the date of an election

in which the annexation of a county to the district is ratified by a

majority vote of the voters of that county, the commissioners court

of the annexed county shall appoint three temporary directors to

the board. Temporary directors serve until initial permanent
directors are elected under Subsection (c) of this section.

(c) Initial permanent directors shall be elected from a

county that is annexed by the district on the uniform election date

in May of the first odd-numbered year following the election in
which annexation of that county is ratified. The initial permanent
directors from the county shall draw lots to determine who will
serve a four-year term and who will serve a two-year term.

(d) On the uniform election date in May of each odd-numbered
year following the election of initial permanent directors under
Subsection (c) of this section, the appropriate number of directors
from a county that is annexed by the district shall be elected.

SECTION 6. Chapter 1362, Acts of the 77th Legislature,
Regular Session, 2001, is amended by adding Section 11B to read as
follows:

Sec. 11B. COMPOSITION OF BOARD AND ELECTION OF DIRECTORS
FOLLOWING ANNEXATION OF MORE THAN TWO COUNTIES. (a) This section
applies only following the annexation by the district under
Subchapter J, Chapter 36, Water Code, after January 1, 2009, of the
territory of a third additional county or the simultaneous or
subsequent annexation of the territory of other additional
counties.

(b) After annexation, two directors shall be elected from
each county in the district as provided by this section.

(c) Not later than the 90th day after the date of an election
in which the annexation of a county is ratified by a majority vote
of the voters of that county, the commissioners court of each
annexed county shall appoint two temporary directors to the board.
Temporary directors serve until initial permanent directors are
elected under Subsection (d) of this section.

(d) Initial permanent directors shall be elected from any
county that is annexed by the district on the uniform election date.
in May of the first odd-numbered year following the election in
which annexation of that county is ratified. The initial permanent
directors from the county shall draw lots to determine who will
serve a four-year term and who will serve a two-year term.

(e) On the date of the next regularly scheduled directors'
election in an even-numbered year following the election in which
annexation of a county is ratified:

(1) one director position from Comanche County and one
director position from Erath County are abolished; and

(2) the terms of the directors serving in those
positions expire on the date of the election.

(f) On the date of the next regularly scheduled directors'
election in an odd-numbered year following the election in which
annexation of the county is ratified:

(1) one director position from each of the first two
counties annexed by the district after January 1, 2009, is
abolished; and

(2) the terms of the directors serving in those
positions expire on the date of the election.

(g) If more than one position described by Subsection (e)(1)
or (f)(1) of this section is scheduled for election in Comanche
County, Erath County, or one of the first two counties annexed by
the district after January 1, 2009, the directors of the county
shall draw lots to determine which position shall be abolished in
accordance with Subsections (e) and (f) of this section.

(h) On the uniform election date in May of each odd-numbered
year following the election of initial permanent directors under
Subsection (d) of this section, the appropriate number of directors from a county that is annexed by the district shall be elected.

SECTION 7. Chapter 1362, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 13 to read as follows:

Sec. 13. DISTRICT RULES; ENFORCEMENT. (a) Any rules adopted by the district as authorized by this Act and Chapter 36, Water Code, apply to all persons and entities except as exempted under Section 36.117, Water Code.

(b) The district may enforce its rules and the provisions of Chapter 36, Water Code, in the manner authorized by Chapter 36, Water Code. In addition to the remedies under Section 36.102, Water Code, the district may impose a fee on a person or entity for violation of a rule of the district or failure to comply with an order issued by the district.

SECTION 8. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

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

I hereby certify that S.B. No. 1209 passed the Senate on April 9, 2009, by the following vote: Yeas 31, Nays 0.

Speaker of the House

I hereby certify that S.B. No. 1209 passed the House on May 26, 2009, by the following vote: Yeas 144, Nays 0, one present not voting.

Secretary of the Senate

Chief Clerk of the House

Approved:

Date

Governor