

House Bill 4715
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 8112.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8112.023~~;~~ ~~or~~
[~~(2)~~] ~~the date this chapter expires under Section 8112.003].~~

SECTION 2. Section 8113.021(d), Special District Local Laws Code, is amended to read as follows:

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

(d) Temporary directors serve until ~~[the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8112.023~~;~~ ~~or~~
[~~(2)~~] ~~the date this chapter expires under Section 8112.003].~~

(e) If permanent directors have not been elected under Section 8112.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8112.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.

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

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

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(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section
8113.023~~;~~~~or~~
~~[(2)]~~ the date this chapter expires under Section
8113.003].

SECTION 3. Section 8114.021(d), Special District
Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section
8114.023~~;~~~~or~~

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(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section
8113.023~~;~~~~or~~
~~[(2)]~~ the date this chapter expires under Section
8113.003].

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

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

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

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

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

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section
8114.023~~;~~~~or~~

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~~[(2) the date this chapter expires under Section 8114.003].~~

SECTION 4. Section 8115.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1) the date the directors are elected under Section 8115.023]; or~~
~~[(2) the date this chapter expires under Section 8115.003].~~

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~~[(2) the date this chapter expires under Section 8114.003].~~

(e) If permanent directors have not been elected under Section 8114.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8114.023; or

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

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

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

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1) the date the directors are elected under Section 8115.023]; or~~
~~[(2) the date this chapter expires under Section 8115.003].~~

(e) If permanent directors have not been elected under

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Section 8115.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8115.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.
(f) If Subsection (e) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SECTION 5. Section 8116.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1) the date the directors are elected under Section 8116.023]; or~~
~~[(2) the date this chapter expires under Section 8116.003].~~

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

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1) the date the directors are elected under Section 8116.023]; or~~
~~[(2) the date this chapter expires under Section 8116.003].~~

(e) If permanent directors have not been elected under Section 8116.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by

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Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under
Section 8116.023; or
(2) the fourth anniversary of the date of the appointment
or reappointment.
(f) If Subsection (e) applies, the owner or owners of a
majority of the assessed value of the real property in the
district may submit a petition to the commission
requesting that the commission appoint as successor
temporary directors the five persons named in the
petition. The commission shall appoint as successor
temporary directors the five persons named in the
petition.

SECTION 6. Section 8117.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section 8117.023~~]; or~~
~~[(2) the date this chapter expires under Section 8117.003].~~

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

(d) Temporary directors serve until ~~[the earlier of:~~
~~[(1)]~~ the date the directors are elected under Section 8117.023~~]; or~~
~~[(2) the date this chapter expires under Section 8117.003].~~

(e) If permanent directors have not been elected under
Section 8117.023 and the terms of the temporary
directors have expired, successor temporary directors
shall be appointed or reappointed as provided by
Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under
Section 8117.023; or

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

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

SECTION 7. Section 8118.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~
[~~1~~] the date the directors are elected under Section 8118.023~~;~~ ~~or~~
~~[(2) the date this chapter expires under Section 8118.003].~~

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

(d) Temporary directors serve until ~~[the earlier of:~~
[~~1~~] the date the directors are elected under Section 8118.023~~;~~ ~~or~~
~~[(2) the date this chapter expires under Section 8118.003].~~

(e) If permanent directors have not been elected under Section 8118.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8118.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.

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

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

SECTION 8. Section 8119.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8119.023[~~;~~~~or~~
[~~(2)~~ — the date this chapter expires under Section 8119.003].

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

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8119.023[~~;~~~~or~~
[~~(2)~~ — the date this chapter expires under Section 8119.003].

(e) If permanent directors have not been elected under Section 8119.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8119.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.

(f) If Subsection (e) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor

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temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SECTION 9. Section 8120.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8120.023[~~;~~~~or~~
[~~(2)~~] ~~the date this chapter expires under Section 8120.003~~].

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

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8120.023[~~;~~~~or~~
[~~(2)~~] ~~the date this chapter expires under Section 8120.003~~].

(e) If permanent directors have not been elected under Section 8120.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8120.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.

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

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petition.

SECTION 10. Section 8185.021(d), Special District Local Laws Code, is amended to read as follows:

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8185.023[~~; or~~
[~~(2)~~] the date this chapter expires under Section 8185.003].

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

(d) Temporary directors serve until [~~the earlier of:~~
[~~(1)~~] the date the directors are elected under Section 8185.023[~~; or~~
[~~(2)~~] the date this chapter expires under Section 8185.003].

(e) If permanent directors have not been elected under Section 8185.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8185.023; or
(2) the fourth anniversary of the date of the appointment or reappointment.

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

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

Same as House version.

SECTION 12. (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.

Same as House version.

SECTION 13. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected

Same as House version.

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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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