

## **BILL ANALYSIS**

S.B. 1899  
By: Nichols  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

S.B. 1899 allows Lake View Management and Development District (district) to compensate its board of directors in the manner and amounts comparable to districts of its type. Current law does not allow for any compensation of the district's directors outside of reimbursement for expenses.

The revisions in this bill allowing for compensation and reimbursement of the district's directors are analogous to the provisions of Sections 49.060(a)-(c), Water Code, pertaining to compensation and reimbursement of the directors of a conservation and reclamation district.

As proposed, S.B. 1899 amends current law relating to compensation for services and reimbursement for expenses of a member of the board of directors of the Lake View Management and Development District.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 3828.056, Special District Local Laws, as follows:

Sec. 3828.056. COMPENSATION. (a) Defines, in this section, "performing the duties of a director."

(b) Entitles a director to receive fees of office of not more than \$150 a day for each day the director spends performing the duties of a director as compensation for service on the board of directors (board) of the Lake View Management and Development District (district) and to reimbursement for necessary and reasonable expenses incurred in performing the duties of a director. Deletes existing text providing that a director is not entitled to compensation for service on the board but is entitled to reimbursement for necessary and reasonable expenses incurred carrying out the duties and responsibilities of a director.

(c) Requires the board by resolution to set a limit on the fees of office that a director may receive in a year. Prohibits the board from setting the limit at more than \$7, 200.

(d) Requires a director, to receive compensation or reimbursement for expenses, to file with the district a verified statement showing the number of days spent performing the duties of a director and a general description of the duties performed for each day of service.

SECTION 2. Provides that the changes in law made by this Act apply only to the compensation and reimbursement for expenses of a member of the board of directors of the district for the performance of duties on or after the effective date of this Act. Provides that the compensation or reimbursement for expenses before the effective date of this Act is governed by the law in effect when the duty is performed, and the former law is continued in effect for that purpose.

SECTION 3. (a) Provides that 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 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation District), Article XVI, Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

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

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) Provides that 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 have been fulfilled and accomplished.

SECTION 4. Provides for the effective date of this Act.

**EFFECTIVE DATE**

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, 2011.