

By: Eiland

H.B. No. 3821

A BILL TO BE ENTITLED

AN ACT

relating to temporary directors and the continuation in existence of the Bolivar Yacht Basin Water Control and Improvement District No. 1 of Galveston County.

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

SECTION 1. The heading to Subchapter A-1, Chapter 9027, Special District Local Laws Code, is amended to read as follows:

SUBCHAPTER A-1. ORGANIZATION AND CONFIRMATION [~~TEMPORARY PROVISIONS~~]

SECTION 2. Section 9027.021, 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 directors are elected under Section 9027.023; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter [~~date this chapter expires under Section 9027.003~~].

(e) If directors have not been elected under Section 9027.023 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 directors are elected under Section

1 9027.023; or

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

4 (f) If Subsection (e) applies, the owner or owners of a  
5 majority of the assessed value of the real property in the district  
6 may submit a petition to the Texas Commission on Environmental  
7 Quality requesting that the commission appoint as successor  
8 temporary directors the five persons named in the petition. The  
9 commission shall appoint as successor temporary directors the five  
10 persons named in the petition.

11 SECTION 3. Sections 9027.003 and 9027.025, Special District  
12 Local Laws Code, are repealed.

13 SECTION 4. Regardless of whether Section 9027.003, Special  
14 District Local Laws Code, is repealed on the same day that this Act  
15 takes effect, the Bolivar Yacht Basin Water Control and Improvement  
16 District No. 1 of Galveston County is continued in existence and is  
17 not dissolved September 1, 2011.

18 SECTION 5. (a) The legal notice of the intention to  
19 introduce this Act, setting forth the general substance of this  
20 Act, has been published as provided by law, and the notice and a  
21 copy of this Act have been furnished to all persons, agencies,  
22 officials, or entities to which they are required to be furnished  
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
24 Government Code.

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

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

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

9           SECTION 6. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2011.