

1-1 By: Eiland (Senate Sponsor - Huffman) H.B. No. 3821
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2011, reported favorably by
1-5 the following vote: Yeas 3, Nays 0; May 21, 2011, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to temporary directors and the continuation in existence
1-10 of the Bolivar Yacht Basin Water Control and Improvement District
1-11 No. 1 of Galveston County.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. The heading to Subchapter A-1, Chapter 9027,
1-14 Special District Local Laws Code, is amended to read as follows:

1-15 SUBCHAPTER A-1. ORGANIZATION AND CONFIRMATION [~~TEMPORARY~~
1-16 ~~PROVISIONS~~]

1-17 SECTION 2. Section 9027.021, Special District Local Laws
1-18 Code, is amended by amending Subsection (d) and adding Subsections
1-19 (e) and (f) to read as follows:

1-20 (d) Temporary directors serve until the earlier of:

1-21 (1) the date directors are elected under Section
1-22 9027.023; or

1-23 (2) the fourth anniversary of the effective date of
1-24 the Act enacting this chapter [~~date this chapter expires under~~
1-25 ~~Section 9027.003~~].

1-26 (e) If directors have not been elected under Section
1-27 9027.023 and the terms of the temporary directors have expired,
1-28 successor temporary directors shall be appointed or reappointed as
1-29 provided by Subsection (f) to serve terms that expire on the earlier
1-30 of:

1-31 (1) the date directors are elected under Section
1-32 9027.023; or

1-33 (2) the fourth anniversary of the date of the
1-34 appointment or reappointment.

1-35 (f) If Subsection (e) applies, the owner or owners of a
1-36 majority of the assessed value of the real property in the district
1-37 may submit a petition to the Texas Commission on Environmental
1-38 Quality requesting that the commission appoint as successor
1-39 temporary directors the five persons named in the petition. The
1-40 commission shall appoint as successor temporary directors the five
1-41 persons named in the petition.

1-42 SECTION 3. Sections 9027.003 and 9027.025, Special District
1-43 Local Laws Code, are repealed.

1-44 SECTION 4. Regardless of whether Section 9027.003, Special
1-45 District Local Laws Code, is repealed on the same day that this Act
1-46 takes effect, the Bolivar Yacht Basin Water Control and Improvement
1-47 District No. 1 of Galveston County is continued in existence and is
1-48 not dissolved September 1, 2011.

1-49 SECTION 5. (a) The legal notice of the intention to
1-50 introduce this Act, setting forth the general substance of this
1-51 Act, has been published as provided by law, and the notice and a
1-52 copy of this Act have been furnished to all persons, agencies,
1-53 officials, or entities to which they are required to be furnished
1-54 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-55 Government Code.

1-56 (b) The governor, one of the required recipients, has
1-57 submitted the notice and Act to the Texas Commission on
1-58 Environmental Quality.

1-59 (c) The Texas Commission on Environmental Quality has filed
1-60 its recommendations relating to this Act with the governor, the
1-61 lieutenant governor, and the speaker of the house of
1-62 representatives within the required time.

1-63 (d) All requirements of the constitution and laws of this
1-64 state and the rules and procedures of the legislature with respect

2-1 to the notice, introduction, and passage of this Act are fulfilled
2-2 and accomplished.

2-3 SECTION 6. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section 39, Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2011.

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