

By: Goldman

H.B. No. 1330

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the election of members of the board of directors of the  
3 Benbrook Water Authority.

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

5 SECTION 1. Section 3(c), Chapter 123, Acts of the 54th  
6 Legislature, Regular Session, 1955, is amended to read as follows:

7 (c) Regular [~~A regular election for the election of~~  
8 ~~Directors shall be held on the first Saturday in April of each year~~  
9 ~~after 1969 and before 1994. After 1993, regular~~] elections for the

10 election of the appropriate number of Directors must be held on the  
11 [a] uniform date in November of each odd-numbered year or another  
12 date authorized by law and are governed by Chapters 49 and 51, Water

13 Code. The regular elections shall be called by the Board of  
14 Directors. The Board shall appoint the presiding judge who shall  
15 appoint an assistant judge and at least two (2) clerks. Notice  
16 shall be given the same as is provided for the first election of  
17 Directors. Only qualified voters residing in the Authority are  
18 entitled to vote at an election of Directors. Directors serve  
19 staggered four-year terms, with two or three Directors' terms  
20 expiring each odd-numbered year on the date the successors qualify.

21 [~~After 1969 and before 1997, in even-numbered years the two (2)~~  
22 ~~candidates receiving the highest number of votes shall be elected~~  
23 ~~to serve for a period of two years and in odd-numbered years the~~  
24 ~~three (3) candidates receiving the highest number of votes shall be~~

1 ~~elected to serve for two (2) years. Three Directors shall be~~  
2 ~~elected in 1997, and the three candidates receiving the highest~~  
3 ~~number of votes in that year shall be elected for a term of three~~  
4 ~~years.] In [the election of Directors held in 2000 and in] every~~  
5 ~~[subsequent]~~ election at which three Directors are elected, the  
6 three candidates receiving the highest number of votes shall be  
7 elected for a term of four years. In [~~the election of Directors~~  
8 ~~held in 1998 and in]~~ every ~~[subsequent]~~ election at which two  
9 Directors are elected, the two candidates receiving the highest  
10 number of votes shall be elected for a term of four years.

11 SECTION 2. A member of the board of directors of the  
12 Benbrook Water Authority who is serving on the day before the  
13 effective date of this Act shall serve until the expiration of the  
14 director's term, as provided by Resolution No. 2012-4 adopted by  
15 the board of directors of the Benbrook Water Authority on February  
16 7, 2012.

17 SECTION 3. (a) The legal notice of the intention to  
18 introduce this Act, setting forth the general substance of this  
19 Act, has been published as provided by law, and the notice and a  
20 copy of this Act have been furnished to all persons, agencies,  
21 officials, or entities to which they are required to be furnished  
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
23 Government Code.

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the  
2 lieutenant governor, and the speaker of the house of  
3 representatives within the required time.

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

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2013.