

By: Schaefer

H.B. No. 3257

Substitute the following for H.B. No. 3257:

By: Morrison

C.S.H.B. No. 3257

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the election of board members for emergency services
3 districts in certain counties.

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

5 SECTION 1. Section 775.034(h), Health and Safety Code, is
6 amended to read as follows:

7 (h) This section does not apply to a district located wholly
8 in a county:

9 (1) with a population of more than three million; or

10 (2) with a population of more than 200,000 that
11 borders Lake Palestine.

12 SECTION 2. The heading to Section 775.0345, Health and
13 Safety Code, is amended to read as follows:

14 Sec. 775.0345. ELECTION OF BOARD IN CERTAIN [~~POPULOUS~~]
15 COUNTIES.

16 SECTION 3. Sections 775.0345(a), (e), (f), and (g), Health
17 and Safety Code, are amended to read as follows:

18 (a) This section applies only to a district located wholly
19 in a county:

20 (1) with a population of more than three million; or

21 (2) with a population of more than 200,000 that
22 borders Lake Palestine.

23 (e) A candidate for emergency services commissioner on an
24 initial board must give the voter registrar of the county [~~clerk~~] a

1 sworn notice of the candidate's intention to run for office. The
2 notice must state the person's name, age, and address and state that
3 the person is serving notice of intent to run for emergency services
4 commissioner. On receipt of the notice, the voter registrar of the
5 county [~~clerk~~] shall have the candidate's name placed on the
6 ballot.

7 (f) The voter registrar of the county [~~clerk~~] shall appoint
8 an election judge to certify the results of the election.

9 (g) After the election is held, the voter registrar or
10 deputy registrar of the county [~~clerk or the clerk's deputy~~] shall
11 prepare a sworn statement of the election costs incurred by the
12 county. The statement shall be given to the newly elected board,
13 which shall order the appropriate official to reimburse the county
14 for the county's election costs.

15 SECTION 4. The heading to Section 775.0355, Health and
16 Safety Code, is amended to read as follows:

17 Sec. 775.0355. DISQUALIFICATION OF EMERGENCY SERVICES
18 COMMISSIONERS IN CERTAIN [~~POPULOUS~~] COUNTIES.

19 SECTION 5. Section 775.0355(b), Health and Safety Code, is
20 amended to read as follows:

21 (b) This section applies only to a district located wholly
22 in a county:

- 23 (1) with a population of more than three million; or
24 (2) with a population of more than 200,000 that
25 borders Lake Palestine.

26 SECTION 6. The heading to Section 775.0445, Health and
27 Safety Code, is amended to read as follows:

1 Sec. 775.0445. VACANCY ON BOARD OF DISTRICT LOCATED IN
2 CERTAIN [~~POPULOUS~~] COUNTIES.

3 SECTION 7. Section 775.0445, Health and Safety Code, is
4 amended by amending Subsections (b) and (c) and adding Subsection
5 (c-1) to read as follows:

6 (b) This section applies only to a district located wholly
7 in a county:

8 (1) with a population of more than three million; or

9 (2) with a population of more than 200,000 that
10 borders Lake Palestine.

11 (c) Not later than the 90th day after a board vacancy occurs
12 in a county with a population of more than three million, the
13 remaining board members shall appoint a person to fill the
14 unexpired term.

15 (c-1) Not later than the 90th day after a board vacancy
16 occurs in a county with a population of more than 200,000 that
17 borders Lake Palestine, the remaining board members shall appoint a
18 person to serve until the next election of directors for the
19 district. If the vacant position is not regularly scheduled to be
20 filled at that election, the board shall by order require that the
21 election include an election to fill the position for the unexpired
22 term. The appointed director's term ends on the qualification of
23 the director elected at that election.

24 SECTION 8. (a) This Act does not prohibit a person who is a
25 commissioner on the effective date of this Act and who was appointed
26 under Section 775.034, Health and Safety Code, from running for
27 election to the board if the person has the qualifications required

1 for a member under Section 775.0345, Health and Safety Code, as
2 amended by this Act.

3 (b) The terms of the members of a board of emergency
4 services commissioners serving on the effective date of this Act
5 who were appointed under Section 775.034, Health and Safety Code,
6 before the effective date of this Act expire on the date a majority
7 of the members of the initial board of emergency services
8 commissioners elected under Subsection (c) of this section qualify
9 to serve.

10 (c) The county judge of a county with an emergency services
11 district to which Section 775.0345(a)(2), Health and Safety Code,
12 as added by this Act, applies on the effective date of this Act and
13 to which Section 775.034, Health and Safety Code, previously
14 applied, shall establish an election to elect the initial emergency
15 services commissioners of that district in the manner required by
16 Sections 775.0345(c)-(h), Health and Safety Code, for election of
17 the initial commissioners as if the district had been created on the
18 effective date of this Act.

19 SECTION 9. This Act takes effect September 1, 2013.