

By: Williams

S.B. No. 323

A BILL TO BE ENTITLED

AN ACT

relating to the period for confirmation and the terms of the temporary directors of the Montgomery County Municipal Utility District No. 104.

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

SECTION 1. Section 8244.021, Special District Local Laws Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) Temporary directors serve until the earlier of:

(1) the date initial directors are elected under Section 8244.023; or

(2) September 1, 2013 [~~the date this subchapter expires under Section 8244.025~~].

(c) If initial directors have not been elected under Section 8244.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date initial directors are elected under Section 8244.023; or

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

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district

1 may submit a petition to the Texas Commission on Environmental
2 Quality requesting that the commission appoint as successor
3 temporary directors the five persons named in the petition. The
4 commission shall appoint as successor temporary directors the five
5 persons named in the petition.

6 SECTION 2. Sections 8244.003 and 8244.025, Special District
7 Local Laws Code, are repealed.

8 SECTION 3. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor, the
20 lieutenant governor, and the speaker of the house of
21 representatives within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act are fulfilled
25 and accomplished.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2013.