

By: Lucio  
(Oliveira, Lucio III)

S.B. No. 795

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the composition and powers of a governing body in  
3 certain municipalities.

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

5 SECTION 1. Subsection (a), Section 1502.070, Government  
6 Code, is amended to read as follows:

7 (a) Management and control of a utility system may be vested  
8 in:

9 (1) the municipality's governing body; or

10 (2) a board of trustees named in the proceedings  
11 adopted by the municipality and consisting of not more than:

12 (A) five members, one of whom must be the mayor of  
13 the municipality; ~~or~~

14 (B) seven members, one of whom must be the mayor  
15 of the municipality, if the municipality is located in a county:

16 (i) with a population of at least 800,000;

17 and

18 (ii) that is located on an international  
19 border; or

20 (C) seven members, one of whom must be the mayor  
21 of the municipality, if the municipality is located in a county:

22 (i) with a population of at least 375,000;

23 (ii) that is located on an international  
24 border; and

1                   (iii) that borders the Gulf of Mexico.

2           SECTION 2. Subchapter Z, Chapter 552, Local Government  
3 Code, is amended by adding Section 552.914 to read as follows:

4           Sec. 552.914. UTILITY           CONTRACTS           FOR           CERTAIN  
5 MUNICIPALITIES. (a) In this section, "utility system" means an  
6 electric, water, sewer, solid waste disposal, drainage utility, or  
7 natural gas system, or any combination of those systems.

8           (b) This section applies only to a municipality described by  
9 Section 1502.070(a)(2)(C), Government Code.

10           (c) Notwithstanding any limitation provided by a home rule  
11 charter, the governing body, board of trustees, or other entity  
12 vested with the management and control of the municipality's  
13 utility system may contract for the purchase of electricity under  
14 terms the governing body, board of trustees, or other entity  
15 considers appropriate.

16           SECTION 3. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2013.