

1-1 By: Lucio S.B. No. 795
 1-2 (In the Senate - Filed February 25, 2013; March 5, 2013,
 1-3 read first time and referred to Committee on Intergovernmental
 1-4 Relations; April 2, 2013, reported favorably by the following
 1-5 vote: Yeas 5, Nays 0; April 2, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hinojosa	X			
1-8 Nichols	X			
1-9 Garcia	X			
1-10 Paxton	X			
1-11 Taylor	X			

1-13 A BILL TO BE ENTITLED
 1-14 AN ACT

1-15 relating to the composition and powers of a governing body in
 1-16 certain municipalities.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Subsection (a), Section 1502.070, Government
 1-19 Code, is amended to read as follows:

1-20 (a) Management and control of a utility system may be vested
 1-21 in:

- 1-22 (1) the municipality's governing body; or
- 1-23 (2) a board of trustees named in the proceedings
 1-24 adopted by the municipality and consisting of not more than:

1-25 (A) five members, one of whom must be the mayor of
 1-26 the municipality; ~~or~~

1-27 (B) seven members, one of whom must be the mayor
 1-28 of the municipality, if the municipality is located in a county:

1-29 (i) with a population of at least 800,000;

1-30 and

1-31 (ii) that is located on an international
 1-32 border; or

1-33 (C) seven members, one of whom must be the mayor
 1-34 of the municipality, if the municipality is located in a county:

1-35 (i) with a population of at least 375,000;

1-36 (ii) that is located on an international

1-37 border; and

1-38 (iii) that borders the Gulf of Mexico.

1-39 SECTION 2. Subchapter Z, Chapter 552, Local Government
 1-40 Code, is amended by adding Section 552.914 to read as follows:

1-41 Sec. 552.914. UTILITY CONTRACTS FOR CERTAIN
 1-42 MUNICIPALITIES. (a) In this section, "utility system" means an
 1-43 electric, water, sewer, solid waste disposal, drainage utility, or
 1-44 natural gas system, or any combination of those systems.

1-45 (b) This section applies only to a municipality described by
 1-46 Section 1502.070(a)(2)(C), Government Code.

1-47 (c) Notwithstanding any limitation provided by a home rule
 1-48 charter, the governing body, board of trustees, or other entity
 1-49 vested with the management and control of the municipality's
 1-50 utility system may contract for the purchase of electricity under
 1-51 terms the governing body, board of trustees, or other entity
 1-52 considers appropriate.

1-53 SECTION 3. This Act takes effect immediately if it receives
 1-54 a vote of two-thirds of all the members elected to each house, as
 1-55 provided by Section 39, Article III, Texas Constitution. If this
 1-56 Act does not receive the vote necessary for immediate effect, this
 1-57 Act takes effect September 1, 2013.

1-58 * * * * *