

By: Eltife

S.B. No. 1856

A BILL TO BE ENTITLED

AN ACT

relating to the election of board members for emergency services districts in certain counties.

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

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

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

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

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

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

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

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

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

(e) A candidate for emergency services commissioner on an 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(b), Health and Safety Code, is
4 amended to read as follows:

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

7 (1) with a population of more than three million; or
8 (2) with a population of more than 200,000 that
9 borders Lake Palestine.

10 SECTION 8. (a) This Act does not prohibit a person who is a
11 commissioner on the effective date of this Act and who was appointed
12 under Section 775.034, Health and Safety Code, from running for
13 election to the board if the person has the qualifications required
14 for a member under Section 775.0345, Health and Safety Code, as
15 amended by this Act.

16 (b) The terms of the members of a board of emergency
17 services commissioners serving on the effective date of this Act
18 who were appointed under Section 775.034, Health and Safety Code,
19 before the effective date of this Act expire on the date a majority
20 of the members of the initial board of emergency services
21 commissioners elected under Subsection (c) of this section qualify
22 to serve.

23 (c) The county judge of a county with an emergency services
24 district to which Section 775.0345(a)(2), Health and Safety Code,
25 as added by this Act, applies on the effective date of this Act and
26 to which Section 775.034, Health and Safety Code, previously
27 applied, shall establish an election to elect the initial emergency

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1 services commissioners of that district in the manner required by
2 Sections 775.0345(c)-(h), Health and Safety Code, for election of
3 the initial commissioners as if the district had been created on the
4 effective date of this Act.

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