

BILL ANALYSIS

Senate Research Center

S.B. 1345
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The enabling act for the Irving Flood Control District Section III (district) was codified in 2013 as Chapter 7805 of the Texas Special District Local Laws Code (Code), where many of the powers, duties, and obligations of the district were put into statute.

The codification of the district's enabling act highlighted a discrepancy regarding the number of directors needed to constitute a quorum. The district currently has a five-member board of directors. S.B. 1345 amends the district's powers and duties in Chapter 7805 of the Code to allow three directors to constitute a quorum of the district's board, rather than four directors, thus giving the district more flexibility in accomplishing its purposes while still complying with long-held Texas law that requires the presence of a majority of a governing body to conduct business.

As proposed, S.B. 1345 amends current law relating to quorum and voting requirements for the transaction of business by the board of the Irving Flood Control District Section III of Dallas County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 7805, Special District Local Laws Code, by adding Section 7805.054, as follows:

Sec. 7805.054. QUORUM; VOTE REQUIRED. Provides that a quorum consists of three board members (directors). Provides that an action or recommendation of the Irving Flood Control District Section III of Dallas County board of directors (board) requiring a vote of the board is not valid unless the action or recommendation is approved by a record vote taken at a meeting of the board with a quorum present and the action or recommendation receives at least three affirmative votes by board members.

SECTION 2. (a) Provides that all governmental and proprietary actions and proceedings of the Irving Flood Control District Section III of Dallas County taken before the effective date of this Act are validated, ratified, and confirmed in all respects as of the dates on which they occurred.

(b) Provides that this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or been held invalid by a final court judgment.

SECTION 3. Effective date: upon passage or September 1, 2015.