

By: Gonzales

H.B. No. 2337

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the board of directors of an appraisal district.

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

SECTION 1. Sections 6.03(a), (b), (c), and (l), Tax Code, are amended to read as follows:

(a) The appraisal district is governed by a board of five directors. ~~[Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b).]~~ To be eligible to serve on the board of directors, an individual ~~[other than a county assessor-collector serving as a nonvoting director]~~ must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the

1 district. The county assessor-collector is not eligible to serve on
2 the board.

3 (b) Members of the board of directors [~~other than a county~~
4 ~~assessor-collector serving as a nonvoting director~~] serve two-year
5 terms beginning on January 1 of even-numbered years.

6 (c) Members of the board of directors [~~other than a county~~
7 ~~assessor-collector serving as a nonvoting director~~] are appointed
8 by vote of the governing bodies of the incorporated cities and
9 towns, the school districts, the junior college districts, and, if
10 entitled to vote, the conservation and reclamation districts that
11 participate in the district and of the county. A governing body
12 may cast all its votes for one candidate or distribute them among
13 candidates for any number of directorships. Conservation and
14 reclamation districts are not entitled to vote unless at least one
15 conservation and reclamation district in the district delivers to
16 the chief appraiser a written request to nominate and vote on the
17 board of directors by June 1 of each odd-numbered year. On receipt
18 of a request, the chief appraiser shall certify a list by June 15 of
19 all eligible conservation and reclamation districts that are
20 imposing taxes and that participate in the district.

21 (1) If a vacancy occurs on the board of directors [~~other~~
22 ~~than a vacancy in the position held by a county assessor-collector~~
23 ~~serving as a nonvoting director~~], each taxing unit that is entitled
24 to vote by this section may nominate by resolution adopted by its
25 governing body a candidate to fill the vacancy. The unit shall
26 submit the name of its nominee to the chief appraiser within 45 days
27 after notification from the board of directors of the existence of

1 the vacancy, and the chief appraiser shall prepare and deliver to
2 the board of directors within the next five days a list of the
3 nominees. The board of directors shall elect by majority vote of
4 its members one of the nominees to fill the vacancy.

5 SECTION 2. Section 6.034(a), Tax Code, is amended to read as
6 follows:

7 (a) The taxing units participating in an appraisal district
8 may provide that the terms of the ~~[appointed]~~ members of the board
9 of directors be staggered if the governing bodies of at least
10 three-fourths of the taxing units that are entitled to vote on the
11 appointment of board members adopt resolutions providing for the
12 staggered terms. A change to staggered terms may be adopted only if
13 the method or procedure for appointing board members is changed
14 under Section 6.031 ~~[of this code]~~ to eliminate or have the effect
15 of eliminating cumulative voting for board members as provided by
16 Section 6.03 ~~[of this code]~~. A change to staggered terms may be
17 proposed concurrently with a change that eliminates or has the
18 effect of eliminating cumulative voting.

19 SECTION 3. Section 6.15(c), Tax Code, is repealed.

20 SECTION 4. The changes in law made by this Act do not affect
21 the eligibility of a county assessor-collector serving as an
22 appointed member of the board of directors of an appraisal district
23 immediately before the effective date of this Act to continue to
24 serve on the board for the remainder of the term to which the member
25 was appointed.

26 SECTION 5. This Act takes effect September 1, 2015.