

By: Zaffirini

S.B. No. 855

A BILL TO BE ENTITLED

AN ACT

relating to the territory and board of the Canyon Regional Water Authority.

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

SECTION 1. Section 1.02(a), Chapter 670, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Subdivision (4-a) to read as follows:

(4-a) "Member entity" means an entity, including a water supply corporation, or political subdivision whose territory has been added to the authority by virtue of legislative action or in accordance with the procedures provided for in Section 7.01 and whose territory has not been removed from the authority.

SECTION 2. Section 2.03(a), Chapter 670, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(a) The authority includes all the territory located in the service area of the member entities [~~Crystal Clear Water Supply Corporation, the East Central Water Supply Corporation, the Green Valley Water Supply Corporation, and the Springs Hill Water Supply Corporation~~] as provided by their respective certificates of convenience and necessity [~~issued by the commission~~].

SECTION 3. Section 3.02, Chapter 670, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

Sec. 3.02. QUALIFICATIONS OF TRUSTEES. (a) To be qualified to serve as a trustee, a person must be:

1 (1) at least 18 years old; and

2 (2) a resident of the territory located in the
3 authority.

4 (b) A trustee who also serves on the governing body of a
5 member entity is not a dual officeholder and is not prohibited by
6 the common law doctrine of incompatibility from serving on both the
7 board and the governing body.

8 (c) Service on the board by a public officeholder is an
9 additional duty of that person's office.

10 SECTION 4. Section 4.03(a), Chapter 670, Acts of the 71st
11 Legislature, Regular Session, 1989, is amended to read as follows:

12 (a) The authority may exercise the power of eminent domain
13 as provided by Section 49.222, Water Code, to acquire by
14 condemnation a fee simple or other interest in property located in
15 the territory of the authority if the property interest is
16 necessary to the exercise of the rights or authority conferred by
17 this Act.

18 SECTION 5. Sections 4.03(b) and (c), Chapter 670, Acts of
19 the 71st Legislature, Regular Session, 1989, are repealed.

20 SECTION 6. (a) The legal notice of the intention to
21 introduce this Act, setting forth the general substance of this
22 Act, has been published as provided by law, and the notice and a
23 copy of this Act have been furnished to all persons, agencies,
24 officials, or entities to which they are required to be furnished
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
26 Government Code.

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed
4 its recommendations relating to this Act with the governor, the
5 lieutenant governor, and the speaker of the house of
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this
8 state and the rules and procedures of the legislature with respect
9 to the notice, introduction, and passage of this Act are fulfilled
10 and accomplished.

11 SECTION 7. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.