

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the governing body of certain metropolitan rapid transit authorities.

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

SECTION 1. Section 451.501, Transportation Code, is amended by amending Subsections (a), (c), (d), and (f) and adding Subsection (e-1) to read as follows:

(a) Except as provided by Subsection (b), a board is composed of:

(1) five members; and ~~plus~~

(2) the number of additional members determined under Subsection (c), (d), ~~or~~ (e), or (e-1).

(c) Notwithstanding Subsection (e-1), if ~~if~~ less than 50 percent of the population of the principal county, excluding the population of the principal municipality, reside in the authority, the board has two additional members.

(d) Notwithstanding Subsection (e-1), if ~~if~~ 50 percent or more but less than 75 percent of the population of the principal county, excluding the population of the principal municipality, reside in the authority, the board has four additional members.

(e-1) If the population of the principal county is greater than four million, the board has six additional members.

(f) In this section and Sections ~~Section~~ 451.502 and 451.504, "principal county" means the county in which not less than

1 51 percent of the territory of the principal municipality is
2 located.

3 SECTION 2. Section 451.504, Transportation Code, is amended
4 by amending Subsection (a) and adding Subsections (d), (d-1), and
5 (d-2) to read as follows:

6 (a) Except as provided by Subsections (d) and (d-1), a [A]
7 vacancy on a board is filled by the person or entity that appointed
8 the member who was in the position that is vacant. If confirmation
9 of the previous position was required, confirmation of the vacancy
10 appointment is required in the same manner.

11 (d) If the appropriate appointing entity under Section
12 451.502 fails to make an appointment to fill a vacancy in certain
13 board positions on or before 45 days after the date the vacancy was
14 created, appointment to the position shall be made by a substitute
15 appointing entity as follows:

16 (1) for a board position under Section 451.502(a), the
17 board member is appointed by the commissioners court of the
18 principal county;

19 (2) for a board position under Section 451.502(e)(1),
20 the board member is appointed by the mayor of the principal
21 municipality and subject to confirmation by the governing body of
22 the principal municipality; and

23 (3) for a board position appointed under Section
24 451.502(e)(2), the board member is appointed by a panel composed of
25 the mayors of the municipalities in the authority, excluding the
26 mayor of the principal municipality, and the county judges of the
27 counties having unincorporated area in the authority, excluding the

1 county judge of the principal county.

2 (d-1) If a substitute appointing entity fails to make an
3 appointment required under Subsection (d) on or before 90 days
4 after the date on which the vacancy was created, appointment to the
5 position shall be made by the governor, with the advice and consent
6 of the senate.

7 (d-2) Subsections (d) and (d-1) apply only to an authority
8 described by Section 451.501(e) or (e-1).

9 SECTION 3. Section 451.505, Transportation Code, is amended
10 by adding Subsection (c) to read as follows:

11 (c) Board members of an authority described by Section
12 451.501(e) or (e-1) serve staggered two-year terms. In such an
13 authority:

14 (1) of the five board members appointed under Section
15 451.502(a), three members serve terms expiring October 1 of each
16 odd-numbered year and two members serve terms expiring October 1 of
17 each even-numbered year;

18 (2) of the two board members appointed under Section
19 451.502(e)(1), one member serves a term expiring October 1 of each
20 odd-numbered year and one member serves a term expiring October 1 of
21 each even-numbered year;

22 (3) of the three board members appointed under Section
23 451.502(e)(2), two members serve terms expiring October 1 of each
24 odd-numbered year and one member serves a term expiring October 1 of
25 each even-numbered year; and

26 (4) the board member appointed as presiding officer
27 under Section 451.502(e)(3) serves a term expiring October 1 of

1 each odd-numbered year.

2 SECTION 4. Section 451.506, Transportation Code, is amended
3 by amending Subsection (b) and adding Subsection (e) to read as
4 follows:

5 (b) An individual may not serve more than eight years on the
6 same board and may not be appointed to a term for which service to
7 the completion of the term would exceed this limitation. This
8 subsection applies only to a board of an authority:

9 (1) in which the principal municipality has a
10 population of more than 1.9 million or less than 320,000; [~~or~~]

11 (2) created before 1980 and in which the principal
12 municipality has a population of less than 1.9 million; or

13 (3) described by Section 451.501(e) or (e-1).

14 (e) Holdover service by a board member of an authority
15 described by Section 451.501(e) or (e-1) may not exceed 45 days. If
16 a qualified successor is not appointed during the 45-day holdover
17 period, the position is vacated and subject to appointment under
18 Section 451.504(d). A holdover board member who is not reappointed
19 during the 45-day holdover period is ineligible for appointment to
20 the position.

21 SECTION 5. (a) This section applies only to the governing
22 body of a metropolitan rapid transit authority described by Section
23 451.501(e), Transportation Code, or Section 451.501(e-1),
24 Transportation Code, as added by this Act.

25 (b) Notwithstanding any contrary provision of Subchapter K,
26 Chapter 451, Transportation Code:

27 (1) a member of a governing body who is serving on the

1 effective date of this Act, other than a member serving as a
2 holdover pending appointment of a successor, is, except as provided
3 by Subdivision (2) of this subsection, reappointed to the member's
4 position as follows:

5 (A) except as provided by Paragraph (B) of this
6 subdivision, a member whose term ends in an even-numbered year is
7 reappointed to a term expiring October 1, 2016, and a member whose
8 term ends in an odd-numbered year is reappointed to a term expiring
9 October 1, 2017; and

10 (B) a member serving as presiding officer of the
11 body is reappointed to a term expiring October 1, 2017; and

12 (2) a member of a governing body, including a
13 presiding officer, who has served eight years or more on the body
14 before the effective date of this Act is ineligible to serve on the
15 body on or after that date, and any such member's position is
16 vacated.

17 SECTION 6. The change in law made by this Act applies to a
18 member of a metropolitan rapid transit authority appointed before,
19 on, or after the effective date of this Act.

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