

By: Miller

H.B. No. 3789

Substitute the following for H.B. No. 3789:

By: Larson

C.S.H.B. No. 3789

A BILL TO BE ENTITLED

AN ACT

relating to the appointment and election of levee improvement district directors.

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

SECTION 1. Section 57.051, Water Code, is amended to read as follows:

Sec. 57.051. APPOINTMENT OF BOARD OF DIRECTORS. (a) The commissioners court which creates a levee improvement district under this chapter, by majority vote, shall appoint three directors for the district.

(b) In a district with a population of 2,000 or more the commissioners court may increase the total number of directors to five. The additional members appointed under this section must be registered voters in the district.

SECTION 2. Section 57.058, Water Code, is amended to read as follows:

Sec. 57.058. NUMBER OF ELECTED DIRECTORS; TERMS. In districts which have elected boards, there shall be five directors on the board. All five directors [~~In countywide districts, one director~~] shall be elected by the electors of the entire district. The initial elected directors shall draw lots to determine which two initial directors serve two-year terms and which three initial directors serve four-year terms [~~and one director elected from each county commissioners precinct by the electors of that precinct. In~~

1 ~~other districts, all five directors shall be elected from precincts~~
2 ~~within the district to be established by the commissioners court].~~

3 SECTION 3. Section 57.060, Water Code, is amended to read as
4 follows:

5 Sec. 57.060. PETITION. Before an election is held under
6 Section 57.057, a petition, signed by the greater of at least 10
7 percent of the total number of [100] electors or 100 electors in the
8 district who are qualified to vote, shall be presented to the
9 district requesting that an election be held in the district to
10 determine whether or not directors for the district should be
11 elected ~~[and, if so, to elect directors to serve until the next~~
12 ~~regular director election. The petition shall include the name of~~
13 ~~one or more nominees for each director's position]~~. If the results
14 of an election held under Section 57.057 determine that directors
15 will be elected, the current directors continue to serve until the
16 elected directors qualify to take office.

17 SECTION 4. The changes in law made by Section 57.058, Water
18 Code, as amended by this Act, apply only to an election of directors
19 held on or after the effective date of this Act. An election of
20 directors held before the effective date of this Act is subject to
21 the law in effect on the date the election is held, and that law is
22 continued in effect for that purpose.

23 SECTION 5. This Act takes effect September 1, 2017.