

By: Miller

H.B. No. 3789

A BILL TO BE ENTITLED

AN ACT

relating to the 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) The governing body of a levee improvement district consisting of three directors appointed by commissioners court may petition commissioners court to increase the total number of directors serving on the governing body of the levee improvement district. Upon receipt of a petition under this subsection, commissioners court may appoint up to two additional directors to serve on the governing body of 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

1 directors serve four-year terms [~~and one director elected from each~~
2 ~~county commissioners precinct by the electors of that precinct. In~~
3 ~~other districts, all five directors shall be elected from precincts~~
4 ~~within the district to be established by the commissioners court~~].

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

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

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

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