

By: Hinojosa

S.B. No. 814

A BILL TO BE ENTITLED

AN ACT

relating to the board of directors of the Agua Special Utility District.

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

SECTION 1. Section 7201.052, Special District Local Laws Code, is amended by amending Subsections (a), (b), (c), and (l) and adding Subsection (m) to read as follows:

(a) Except as provided by Subsection (l), the district shall be governed by a board of seven directors, elected as follows:

(1) one director elected by the voters of the part of the City of Mission inside the district to represent that part of the city;

(2) one director elected by the voters of the City of Palmview to represent that city;

(3) one director elected by the voters of the City of Penitas to represent that city;

(4) one director elected by the voters of the City of Sullivan City to represent that city; ~~and~~

(5) one director elected by the voters of the part of the City of La Joya within the district to represent that part of the city; and

(6) two ~~three~~ directors elected at-large to numbered positions on the board by the district voters who do not reside in any of the municipalities listed in Subdivisions (1)-(5) ~~[(1)-(4)]~~

1 to represent the part of the district that is not included in those  
2 municipalities, unless the number of at-large directors is  
3 increased under Subsection (1).

4 (b) A candidate for one of the numbered director positions:

5 (1) must reside in the part of the service area of the  
6 district that is not included in any of the municipalities listed in  
7 Subsections (a)(1)-(5) [~~(a)(1)-(4)~~]; and

8 (2) must be eligible to hold office under Section  
9 141.001, Election Code.

10 (c) A candidate for one of the director positions  
11 representing a municipality listed in Subsection (a)(1), (2), (3),  
12 [~~or~~] (4), or (5):

13 (1) must reside in the municipality the candidate  
14 seeks to represent; and

15 (2) must be eligible to hold office under Section  
16 141.001, Election Code.

17 (1) If, before the expiration of the term of a director  
18 elected to represent a municipality under Subsection (a)(1), (2),  
19 (3), [~~or~~] (4), or (5), the district determines that all of the  
20 incorporated territory of the municipality is outside the  
21 boundaries of the district, the position immediately becomes an  
22 at-large numbered position to be filled at the next general  
23 election of the district in accordance with Subsections (a)(6)  
24 [~~(a)(5)~~] and (b).

25 (m) The board may not employ as an employee, as a  
26 consultant, or on a contract basis:

27 (1) an elected official of the largest public employer

1 in the service area of the district; or

2 (2) a person related to an elected official described  
3 by Subdivision (1) within the third degree by consanguinity or  
4 affinity as determined under Chapter 573, Government Code.

5 SECTION 2. A person employed by the Agua Special Utility  
6 District on the effective date of this Act who is an elected  
7 official of a public employer described by Section 7201.052,  
8 Special District Local Laws Code, as amended by this Act, is not  
9 subject to that section until the date the person's term as an  
10 elected official expires, and the board may continue to employ the  
11 person until that date.

12 SECTION 3. (a) The position of director of the Agua  
13 Special Utility District elected at-large for a term that expires  
14 in 2018 becomes the position for the director elected from the City  
15 of La Joya on the election date in 2018 when the district elects new  
16 directors. The director of the Agua Special Utility District  
17 elected at-large to a term that expires in 2018 shall serve until a  
18 director elected from the City of La Joya has qualified following  
19 the director's election held in 2018.

20 (b) This section expires September 1, 2020.

21 SECTION 4. (a) The legal notice of the intention to  
22 introduce this Act, setting forth the general substance of this  
23 Act, has been published as provided by law, and the notice and a  
24 copy of this Act have been furnished to all persons, agencies,  
25 officials, or entities to which they are required to be furnished  
26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
27 Government Code.

1           (b) The governor, one of the required recipients, has  
2 submitted the notice and Act to the Texas Commission on  
3 Environmental Quality.

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

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

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