

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 City of La Joya to represent that 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)]~~ to represent the part of the district that is not included in those

1 municipalities, unless the number of at-large directors is
2 increased under Subsection (1).

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

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

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

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

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

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

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

24 (m) If a director is an employee of another taxing entity
25 within the district, the board may not employ as an employee, as a
26 consultant, or on a contract basis:

27 (1) an elected official of the other taxing entity

1 that employs the director; or

2 (2) a person related to that elected official in the
3 third degree of consanguinity or affinity as determined under
4 Chapter 573, Government Code.

5 SECTION 2. (a) The position of director of the Agua Special
6 Utility District elected at-large for a term that expires in 2018
7 becomes the position for the director elected from the City of La
8 Joya on the election date in 2018 when the district elects new
9 directors. The director of the Agua Special Utility District
10 elected at-large to a term that expires in 2018 shall serve until a
11 director elected from the City of La Joya has qualified following
12 the director's election held in 2018.

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

14 SECTION 3. (a) The legal notice of the intention to
15 introduce this Act, setting forth the general substance of this
16 Act, has been published as provided by law, and the notice and a
17 copy of this Act have been furnished to all persons, agencies,
18 officials, or entities to which they are required to be furnished
19 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
20 Government Code.

21 (b) The governor, one of the required recipients, has
22 submitted the notice and Act to the Texas Commission on
23 Environmental Quality.

24 (c) The Texas Commission on Environmental Quality has filed
25 its recommendations relating to this Act with the governor, the
26 lieutenant governor, and the speaker of the house of
27 representatives within the required time.

1 (d) All requirements of the constitution and laws of this
2 state and the rules and procedures of the legislature with respect
3 to the notice, introduction, and passage of this Act are fulfilled
4 and accomplished.

5 SECTION 4. This Act takes effect September 1, 2017.