

By: Campbell

S.B. No. 1469

A BILL TO BE ENTITLED

AN ACT

relating to an election for the removal of a director serving on the board of directors of certain water districts.

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

SECTION 1. Subchapter D, Chapter 49, Water Code, is amended by adding Section 49.114 to read as follows:

Sec. 49.114. REMOVAL ELECTION CALLED BY PETITION. (a) This section applies only to a district that is:

(1) a water control and improvement district operating under Chapter 51; or

(2) a municipal utility district operating under Chapter 54.

(b) The board shall order an election on the question of removing a director if the board receives a petition requesting an election on that question. The petition must be signed by at least 10 percent of the district's registered voters.

(c) An election ordered under this section must be held not earlier than the 78th day after the date on which the board received a petition under Subsection (b).

(d) An order calling an election held under this section must state:

(1) the nature of the election, including the proposition that is to appear on the ballot;

(2) the date of the election;

1           (3) the hours during which the polls will be open; and

2           (4) the location of the polling places.

3           (e) The board shall give notice of an election ordered under  
4 this section by publishing a substantial copy of the election order  
5 in a newspaper with general circulation in the district once a week  
6 for two consecutive weeks.

7           (f) The first publication must appear not later than the  
8 30th day before the date set for the election.

9           (g) Section 41.001, Election Code, does not apply to an  
10 election held under this section.

11           (h) If a majority of the votes in an election held under this  
12 section favor removal, the board shall order the removal of the  
13 director who is the subject of the petition.

14           (i) The removal of a director as provided by this section  
15 creates a vacancy on the board to be filled in the manner prescribed  
16 by the law governing the district.

17           (j) If a majority of the votes in an election held under this  
18 section do not favor removal, the director is entitled to serve the  
19 remainder of the director's unexpired term.

20           SECTION 2. This Act takes effect September 1, 2017.