

By: Shine, Buckley, Sheffield

H.B. No. 2105

Substitute the following for H.B. No. 2105:

By: Ramos

C.S.H.B. No. 2105

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the territory and board of directors of the Bell County
3 Water Control and Improvement District No. 1.

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

5 SECTION 1. Section 9005.001, Special District Local Laws
6 Code, is amended by adding Subdivision (1-a) to read as follows:

7 (1-a) "Director" means a member of the board of
8 directors of the district.

9 SECTION 2. Subchapter A, Chapter 9005, Special District
10 Local Laws Code, is amended by adding Section 9005.0025 to read as
11 follows:

12 Sec. 9005.0025. BOARD. (a) The district is governed by a
13 board of seven elected directors. In addition to the elected board
14 members, a nonvoting member chosen by the Fort Hood Military
15 Reservation represents the interests of the reservation.

16 (b) The district shall hold an election to elect the
17 appropriate number of directors on the uniform election date in
18 November of each even-numbered year.

19 (c) The board shall divide the district into seven
20 single-member director precincts that comply with the federal
21 Voting Rights Act of 1965 (52 U.S.C. Sections 10101 and 10301 et
22 seq.) with:

23 (1) the precincts each containing an approximately
24 equal number of voters; and

1 (2) the population of the City of Killeen divided into
2 three precincts composed only of residents of the City of Killeen.

3 (d) The board may redraw the single-member director
4 precincts in a manner that is reasonable and equitable:

5 (1) after any change in the boundaries of the district
6 or of the City of Killeen; or

7 (2) by a resolution redrawing the director precincts
8 adopted by a two-thirds majority of the board based on changed
9 circumstances.

10 SECTION 3. Sections 9005.003 and 9005.004, Special District
11 Local Laws Code, are amended to read as follows:

12 Sec. 9005.003. DISTRICT TERRITORY. (a) The district is
13 composed of the territory described by Subsection (b) and Section
14 1, Chapter 523, Acts of the 54th Legislature, Regular Session, 1955
15 (Article 8280-189, Vernon's Texas Civil Statutes), as that
16 territory may have been modified under:

17 (1) Subchapter J, Chapter 49, Water Code;

18 (2) Subchapter O, Chapter 51, Water Code, before
19 September 1, 1995;

20 (3) former Section 4A, Chapter 523, Acts of the 54th
21 Legislature, Regular Session, 1955 (Article 8280-189, Vernon's
22 Texas Civil Statutes); or

23 (4) other law.

24 (b) Effective September 1, 2019, the territory of the
25 district includes the following areas as those areas are legally
26 described on that date:

27 (1) the territory inside the corporate boundaries of:

1 (A) the City of Harker Heights;

2 (B) the City of Copperas Cove;

3 (C) the City of Belton; and

4 (D) the City of Killeen;

5 (2) the service area of the 439 Water Supply
6 Corporation;

7 (3) the territory of the Bell County Water Control and
8 Improvement District No. 3; and

9 (4) the Bell County portion of the Fort Hood Military
10 Reservation.

11 Sec. 9005.004. ANNEXATION OF TERRITORY. (a) The [~~If an~~
12 ~~election concerning the annexation of territory to the district~~
13 ~~would result in the district boundaries becoming coterminous with~~
14 ~~the boundaries of the City of Killeen, the] board[, ~~in a separate~~~~
15 ~~proposition,~~] may submit for approval at an election the question
16 of whether to automatically annex to [~~extend the boundaries of~~] the
17 district [~~to include~~] territory later annexed by the City of
18 Killeen or a political subdivision described by Section 9005.003(b)
19 or to include territory added to the service area of the 439 Water
20 Supply Corporation [~~the City of Killeen annexes~~] that is not
21 already included in the district.

22 (b) An automatic annexation authorized [~~Land annexed by the~~
23 ~~City of Killeen~~] under Subsection (a) is effective [~~part of the~~
24 ~~district~~] only after:

25 (1) the annexed area assumes its pro rata share of all
26 bonds, notes, or other obligations or taxes owed, contracted, or
27 authorized by the district; and

1 (2) that assumption is approved by a majority of the
2 voters voting at an election held in the district territory as
3 enlarged as a result of the annexation.

4 SECTION 4. Subchapter B, Chapter 9005, Special District
5 Local Laws Code, is amended by adding Section 9005.0515 to read as
6 follows:

7 Sec. 9005.0515. LIMITATION OF DISTRICT POWER. In the
8 territory of the district that coincides with the territory of the
9 Bell County Water Control and Improvement District No. 3, the
10 powers of the district, including the power to issue bonds and
11 exercise eminent domain, are limited to the powers necessary to
12 provide wholesale water service.

13 SECTION 5. (a) The Bell County Water Control and
14 Improvement District No. 1 shall hold the first election to elect
15 directors as described by Section 9005.0025, Special District Local
16 Laws Code, as added by this Act, on the uniform election date in
17 November 2020.

18 (b) The terms of the directors serving on the board of
19 directors of the Bell County Water Control and Improvement District
20 No. 1 on the effective date of this Act expire on the date the
21 directors elected under Subsection (a) of this section have
22 qualified. A director elected to a term that expires in May 2020
23 serves until the director's successor has qualified after the
24 November 2020 election.

25 (c) At the first meeting of the board of directors of the
26 Bell County Water Control and Improvement District No. 1 that
27 follows the election held under Subsection (a) of this section, the

1 directors shall draw lots to determine which four directors serve a
2 term of four years and which three directors serve a term of two
3 years.

4 SECTION 6. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

11 (b) The governor, one of the required recipients, has
12 submitted the notice and Act to the Texas Commission on
13 Environmental Quality.

14 (c) The Texas Commission on Environmental Quality has filed
15 its recommendations relating to this Act with the governor, the
16 lieutenant governor, and the speaker of the house of
17 representatives within the required time.

18 (d) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act are fulfilled
21 and accomplished.

22 SECTION 7. This Act takes effect September 1, 2019.