

By: Stephenson

H.B. No. 4746

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the board of directors of the Boling Municipal Water
3 District.

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

5 SECTION 1. Section 9018.001, Special District Local Laws
6 Code, is amended by adding Subdivisions (1-a) and (1-b) to read as
7 follows:

8 (1-a) "Commission" means the Texas Commission on
9 Environmental Quality.

10 (1-b) "Director" means a board member.

11 SECTION 2. Subchapter C, Chapter 9018, Special District
12 Local Laws Code, is amended by adding Section 9018.102 to read as
13 follows:

14 Sec. 9018.102. TEMPORARY DIRECTORS. (a) The temporary
15 board shall hold an election under Section 49.102, Water Code, to
16 elect permanent directors. The temporary board consists of:

17 (1) Brett Glenn;

18 (2) Steve Nelson;

19 (3) James Ezell;

20 (4) Theodore Rangel; and

21 (5) Bobby Charles.

22 (b) Temporary directors serve until the earlier of:

23 (1) the date permanent directors are elected at an
24 election held under Section 49.102, Water Code; or

1 (2) the fourth anniversary of the effective date of
2 the Act enacting this section.

3 (c) If permanent directors have not been elected at an
4 election held under Section 49.102, Water Code, and the terms of the
5 temporary directors have expired, successor temporary directors
6 shall be appointed or reappointed as provided by Subsection (d) to
7 serve terms that expire on the earlier of:

8 (1) the date permanent directors are elected at an
9 election held under Section 49.102, Water Code; or

10 (2) the fourth anniversary of the date of the
11 appointment or reappointment.

12 (d) If Subsection (c) applies, the owner or owners of a
13 majority of the assessed value of the real property in the district
14 may submit a petition to the commission requesting that the
15 commission appoint as successor temporary directors the five
16 persons named in the petition. The commission shall appoint as
17 successor temporary directors the five persons named in the
18 petition.

19 SECTION 3. The Boling Municipal Water District retains all
20 the rights, powers, privileges, authority, duties, and functions
21 that it had before the effective date of this Act.

22 SECTION 4. (a) The legislature validates and confirms all
23 governmental acts and proceedings of the Boling Municipal Water
24 District that were taken before the effective date of this Act.

25 (b) This section does not apply to any matter that on the
26 effective date of this Act:

27 (1) is involved in litigation if the litigation

1 ultimately results in the matter being held invalid by a final court
2 judgment; or

3 (2) has been held invalid by a final court judgment.

4 SECTION 5. (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 6. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2019.