

By: Alvarado
(Bohac)

S.B. No. 1579

A BILL TO BE ENTITLED

AN ACT

relating to the creation of certain emergency services districts.

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

SECTION 1. Subchapter B, Chapter 775, Health and Safety Code, is amended by adding Section 775.0206 to read as follows:

Sec. 775.0206. SEPARATION OF DISTRICT SERVICES; ALTERNATIVE CREATION PROCEDURE. (a) This section applies only to a district located in a county with a population of more than 3.3 million.

(b) Notwithstanding the procedures required by this subchapter, the board of a district may create another district under this section if:

(1) the board determines that the creation would enable the services currently provided by the creating district to be provided in a more economical and efficient manner by the creating district and the other district; and

(2) the boundaries of the other district are identical to the boundaries of the creating district.

(c) To create the other district, the board of the creating district must adopt an order creating the other district that:

(1) names the other district and, if considered reasonable by the board of the creating district, renames the creating district; and

(2) describes the services to be provided by the

1 creating district and the other district, including:

2 (A) a statement that specifies the services each
3 district will provide; and

4 (B) the proposed date on which the creating
5 district will cease to provide a service and the other district will
6 begin to provide that service.

7 (d) The order may not provide for the creating district and
8 the other district to provide the same service.

9 (e) The board of the creating district must hold an election
10 under Section 775.018 to confirm the other district's creation and
11 authorize the imposition of a tax by the other district. The
12 creation of the other district is confirmed only if a majority of
13 voters voting in the election approve the creation of the other
14 district and the imposition of the tax by the other district.

15 (f) Subject to Section 4.003, Election Code, the notice of
16 the election to separate district services shall be given in the
17 same manner as the notice of a petition hearing under Section
18 775.015.

19 (g) An election to create a district under this section must
20 be held on a uniform election date as described by Section
21 775.018(e).

22 (h) Except as provided by Subsection (i), the board of the
23 creating district shall appoint the initial board of the other
24 district. The appointed commissioners serve until December 31 of
25 the year the other district is created. On the expiration of the
26 terms of the initial commissioners, the commissioners court or
27 commissioners courts shall appoint commissioners for a full term

1 under Section 775.034 or 775.0341, as applicable.

2 (i) If Section 775.0345 or 775.035 applies to a district
3 created under this section, the board of the creating district
4 shall appoint the initial board of the other district. The
5 appointed commissioners serve until the next election date of the
6 commissioners of the creating district. The board of the creating
7 district shall hold an election for both the board of the creating
8 district and the board of the other district under Section 775.0345
9 or 775.035, as applicable. The five commissioner positions on each
10 board shall be filled at the election held by the creating district.
11 For each board, the three elected commissioners receiving the most
12 votes serve four-year terms and the two remaining elected
13 commissioners serve two-year terms. After the initial election,
14 each district shall hold separately an election on the dates and in
15 the manner described by Section 775.0345 or 775.035, as applicable.

16 (j) To promote the economical and efficient delivery of
17 services provided by a creating district and a district created
18 under this section, the creating district may convey assets and
19 transfer indebtedness, other than bonded indebtedness, to the other
20 district.

21 (k) If a creating district has bonded indebtedness at the
22 time the district's board creates a district under this section, a
23 district created under this section shall pay to the creating
24 district annually an amount equal to one-half of the amount
25 required to service the bonded indebtedness in that year.

26 (l) Overlapping districts resulting from the creation of a
27 district under this section shall comply with Section 775.020 or

1 775.0205, as applicable.

2 SECTION 2. This Act takes effect September 1, 2019.