

BILL ANALYSIS

C.S.H.B. 2951
By: Jetton
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding ambiguity in the legal procedure for filling a vacancy on the board of directors of a levee improvement district. Certain law provides for the filling of a vacancy on the assumption that the board is elected, whereas other law assumes an appointed board. C.S.H.B. 2951 seeks to address these concerns by revising applicable statutory provisions in order to eliminate ambiguity and provide clear guidance on the filling of a vacancy on the board of directors of a levee improvement district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2951 amends the Water Code to establish that a vacancy on an elected board of directors of a levee improvement district is filled in accordance with the procedure applicable to certain water districts. The bill retains the existing levee improvement district board vacancy and removal provisions for an appointed board, but requires a director appointed to fill a vacancy to be a person qualified for election as a district director.

C.S.H.B. 2951 ratifies, confirms, and validates the filling of a vacancy on the board of directors of a levee improvement district that occurred before the bill's effective date and that was accomplished in accordance with the procedure applicable to certain water districts. The bill validates for all purposes all governmental acts and proceedings of a board of directors affected by that validation that occurred before the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2951 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute differs from the original with regard to the details and wording used to provide for the ratification, confirmation, and validation of the filling of a director vacancy on a district's board, and the acts and proceedings of a board affected by that validation, that occurred before the bill's effective date.