

## **BILL ANALYSIS**

Senate Research Center  
87R21465 SLB-D

H.B. 4621  
By: Herrero (Hinojosa)  
Water, Agriculture & Rural Affairs  
5/14/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Nueces County Drainage and Conservation District Number 2 (district) provides crucial services that keep parts of Nueces County prepared against major flooding events. The district not only satisfies infrastructure needs for a growing community but also frequently partners with neighboring jurisdictions on drainage projects. To improve efficiency of operations and help maintain institutional knowledge, H.B. 4621, among other things, allows the district to increase its number of commissioners and increases the maximum monthly compensation for a commissioner.

H.B. 4621 amends current law relating to the number, terms, and compensation of the commissioners of the Nueces County Drainage and Conservation District Number 2.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 5 and 6, Chapter 520, Acts of the 57th Legislature, Regular Session, 1961, as follows:

Sec. 5. (a) Provides that except as provided by Subsection (d), the Nueces County Drainage and Conservation District Number 2 (district) is governed by a board of three commissioners.

(b) Creates this subsection from existing text and makes a nonsubstantive change.

(c) Provides that except as provided by Subsection (d), commissioners serve staggered four-year terms.

(d) Authorizes the board by resolution adopted on a vote of a majority of the commissioners to expand the number of commissioners from three to five. Requires the commissioners, for the first election to elect commissioners that follows the adoption of the resolution, to call for an election of five commissioners to fill all positions on the board. Requires the commissioners, on organizing the board at the first board meeting following the election, to draw lots to determine which three commissioners are required to serve four-year terms and which two commissioners are required to serve initial two-year terms. Provides that after the initial two-year terms, commissioners serve four-year terms.

Sec. 6. (a) Creates this subsection from existing text. Authorizes the commissioners of the district to receive for their services compensation for the time actually engaged in the work of their district, the amount of which compensation is required to be fixed by the commissioners court of Nueces County by an order entered in the minutes of said court at any amount up to, but not in excess of, \$1,600 in any one calendar month, rather than any amount up to, but not in excess of, \$500 in any one calendar month.

(b) Provides that the amount of compensation limited by Subsection (a) does not include the value of benefits, including health care coverage, provided to the commissioners.

SECTION 2. Requires the commissioners, unless the commissioners of the district adopt a resolution under Section 5(d), Chapter 520, Acts of the 57th Legislature, Regular Session, 1961, as added by this Act, to draw lots to determine which two commissioners serve a term of four years, and which commissioner serves a term of two years.

SECTION 3. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2021.