

By: Jetton

H.B. No. 2951

A BILL TO BE ENTITLED

AN ACT

relating to the appointment and removal of directors of a levee improvement district; validating certain appointments and actions of certain levee improvement districts.

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

SECTION 1. Section 57.053, Water Code, is amended to read as follows:

Sec. 57.053. VACANCY AND [~~TERM OF OFFICE,~~] REMOVAL[~~, AND SUCCESSION~~]. (a) A vacancy on an appointed [~~the~~] board is [~~shall be~~] filled by the appointment of a director by a majority vote of the commissioners court. A director appointed to fill a vacancy must be a person qualified for election as a director under Section 57.059. The commissioners [~~, and the~~] court shall appoint directors so that the board will always have full membership.

(b) The commissioners court, by majority vote, may remove a director who was appointed by the commissioners court [~~an appointed member of the board~~].

(c) A vacancy on an elected board is filled in accordance with Section 49.105.

SECTION 2. (a) The changes in law made by this Act apply only to the board of directors of a levee improvement district governed by Chapter 57, Water Code, in relation to a vacancy on the board filled, or the removal of a director, that occurs on or after the effective date of this Act. A vacancy filled or removal of a

1 director before the effective date of this Act is governed by the
2 law in effect on the date the vacancy was filled or the director was
3 removed.

4 (b) The filling of a vacancy on the board of directors of a
5 levee improvement district governed by Chapter 57, Water Code, that
6 occurred before the effective date of this Act and that was
7 accomplished in accordance with Section 49.105, Water Code, is
8 ratified, confirmed, and validated and all governmental acts and
9 proceedings of a board of directors affected by the validation that
10 occurred before the effective date of this Act are validated for all
11 purposes.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2021.