

By: Metcalf

H.B. No. 4575

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the election of the board of directors of the San  
3 Jacinto River Authority.

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

5 SECTION 1. Section 6, Chapter 426, Acts of the 45th  
6 Legislature, Regular Session, 1937, is amended to read as follows:

7 Sec. 6. (a) The management and control of all the affairs  
8 of said District shall be vested in, and the powers, rights,  
9 privileges, and functions of the District shall be exercised by a  
10 Board of Directors consisting of seven [~~six (6)~~] members, all of  
11 whom shall be freehold property taxpayers and legal voters of the  
12 State of Texas [~~and four (4) of whom shall be residents of a county~~  
13 ~~wholly encompassed by the District~~].

14 (b) Members of the [~~such~~] Board of Directors shall be  
15 elected at large by voters in the District [~~appointed by the~~  
16 ~~Governor for terms of six (6) years. Provided, the present Board of~~  
17 ~~six (6) directors of said District, appointed by the State Board of~~  
18 ~~Water Engineers under authority of House Bill No. 1094, Chapter~~  
19 ~~613, Acts of the Regular Session of the Forty-seventh Legislature,~~  
20 ~~amending Section 6 of Chapter 426, Acts of the Regular Session of~~  
21 ~~the Forty-fifth Legislature, as amended by House Bill No. 828,~~  
22 ~~Chapter 480, Acts of the Regular Session of the Forty-seventh~~  
23 ~~Legislature, for terms of two (2), four (4), and six (6) years,~~  
24 ~~shall continue to serve as such until the expiration of the~~

1 ~~respective terms for which they were appointed. Upon the~~  
2 ~~expiration of the terms for which the present members of the Board~~  
3 ~~of Directors were appointed, the successors of each and all of them~~  
4 ~~shall be appointed by the Governor for a term of six (6) years].~~

5       (c) The Directors shall hold office after their election  
6 ~~[appointment]~~ and qualification until their successors shall be  
7 elected ~~[appointed]~~ and qualified. ~~[Should any vacancy occur in~~  
8 ~~the Board of Directors, the same shall be filled in like manner by~~  
9 ~~the Governor for the unexpired term.]~~ The Directors ~~[appointed]~~  
10 shall, within thirty (30) days after their election ~~[appointment]~~,  
11 qualify by taking the official oath required of County  
12 Commissioners, and shall execute bond in the sum of Five Thousand  
13 Dollars (\$5,000) payable to the District, the sufficiency of which  
14 bond shall be determined by the Governor, which bonds after being  
15 recorded in the official bond records of the county in which the  
16 District maintains its office shall be deposited with the  
17 depository selected and approved for the deposit of the funds of the  
18 District.

19       (d) The Board of Directors shall organize by electing one of  
20 its members President, one Vice-President, one Secretary, and one  
21 Treasurer. Four (4) members, including the presiding officer,  
22 shall constitute a quorum to transact business. The President  
23 shall preside at all meetings of the Board and shall be the chief  
24 executive officer of the District. The Vice-President shall act as  
25 President in case of the absence or disability of the President.  
26 The Secretary shall act as Secretary of the Board and shall be  
27 charged with the duty of keeping a record of all proceedings and all

1 orders of the Board. The Treasurer shall receive and receipt for  
2 all moneys received by the District and shall keep books and records  
3 of all moneys received and expended. In case of the absence or  
4 inability of the Secretary to act, a Secretary pro tem shall be  
5 selected by the Directors.

6 (e) The domicile of the District shall be in the City of  
7 Conroe, in the County of Montgomery, Texas, where the District  
8 shall maintain its principal office. The Board of Directors shall  
9 have authority to fix the time, place and number of meetings of such  
10 Board by proper resolutions, regulations and bylaws passed by said  
11 Board. Said Board shall cause to be kept complete and accurate  
12 accounts conforming to approved methods of bookkeeping. Said  
13 accounts and all contracts, documents, and records of the District  
14 shall be kept at said principal office, and same shall be open to  
15 public inspection at all reasonable times.

16 SECTION 2. Section 30.003(4), Water Code, is amended to  
17 read as follows:

18 (4) "River authority" means any district or authority  
19 created by the legislature which contains an area within its  
20 boundaries of one or more counties and which is governed by a board  
21 of directors appointed or designated in whole or in part by the  
22 governor, or by the Texas Water Development Board. The term  
23 includes [~~, including without limitation~~] the San Antonio River  
24 Authority and the San Jacinto River Authority.

25 SECTION 3. (a) The San Jacinto River Authority shall hold  
26 the first election to elect directors as described by Section 6,  
27 Chapter 426, Acts of the 45th Legislature, Regular Session, 1937,

1 as amended by this Act, on the uniform election date in May 2022.

2 (b) The terms of the directors serving on the board of  
3 directors of the San Jacinto River Authority on the effective date  
4 of this Act expire on the date the directors elected under  
5 Subsection (a) of this section have qualified.

6 (c) At the first meeting of the board of directors of the San  
7 Jacinto River Authority that follows the election held under  
8 Subsection (a) of this section, the directors shall draw lots to  
9 determine which four directors serve a term of four years and which  
10 three directors serve a term of two years.

11 SECTION 4. (a) The legal notice of the intention to  
12 introduce this Act, setting forth the general substance of this  
13 Act, has been published as provided by law, and the notice and a  
14 copy of this Act have been furnished to all persons, agencies,  
15 officials, or entities to which they are required to be furnished  
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
17 Government Code.

18 (b) The governor, one of the required recipients, has  
19 submitted the notice and Act to the Texas Commission on  
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed  
22 its recommendations relating to this Act with the governor, the  
23 lieutenant governor, and the speaker of the house of  
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this  
26 state and the rules and procedures of the legislature with respect  
27 to the notice, introduction, and passage of this Act are fulfilled

1 and accomplished.

2 SECTION 5. This Act takes effect September 1, 2021.