

By: Herrero

H.B. No. 4621

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the number, terms, and compensation of the  
3 commissioners of the Nueces County Drainage and Conservation  
4 District Number 2.

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

6 SECTION 1. Sections 5 and 6, Chapter 520, Acts of the 57th  
7 Legislature, Regular Session, 1961, are amended to read as follows:

8 Sec. 5. (a) Except as provided by Subsection (d), the  
9 District is governed by a board of three Commissioners.

10 (b) No Commissioner of said District shall be eligible for  
11 office unless the Commissioner [he] resides within the boundaries  
12 of the District, owns land within the District and is a duly  
13 qualified voter of said District.

14 (c) Except as provided by Subsection (d), Commissioners  
15 serve staggered four-year terms.

16 (d) The board by resolution adopted on a vote of a majority  
17 of the Commissioners may expand the number of Commissioners from  
18 three to five. For the first election to elect Commissioners that  
19 follows the adoption of the resolution, the Commissioners shall  
20 call for an election of five Commissioners to fill all positions on  
21 the board. On organizing the board at the first board meeting  
22 following the election, the Commissioners shall draw lots to  
23 determine which three Commissioners shall serve four-year terms and  
24 which two Commissioners shall serve initial two-year terms. After

1 the initial two-year terms, Commissioners serve four-year terms.

2       Sec. 6. (a) The Commissioners of Nueces County Drainage and  
3 Conservation District Number 2 may receive for their services  
4 compensation for the time actually engaged in the work of their  
5 District, the amount of which compensation shall be fixed by the  
6 Commissioners Court of Nueces County by an order entered in the  
7 minutes of said Court at any amount up to, but not in excess of,  
8 \$1,600 [~~\$500~~] in any one (1) calendar month. The amount of such  
9 compensation shall be determined upon the application therefor in  
10 writing by the Commissioners of the District located in Nueces  
11 County filed with the Commissioners Court in said County showing  
12 the necessity therefor and provided that said Commissioners Court,  
13 after having heard such petitions, may deny or grant the same in  
14 whole or in part and shall enter their written order in the minutes  
15 of said Court fixing the amount of such compensation within the  
16 limit aforesaid.

17       (b) The amount of compensation limited by Subsection (a)  
18 does not include the value of benefits, including health care  
19 coverage, provided to the Commissioners.

20       SECTION 2. Unless the commissioners of the Nueces County  
21 Drainage and Conservation District Number 2 adopt a resolution  
22 under Section 5(d), Chapter 520, Acts of the 57th Legislature,  
23 Regular Session, 1961, as added by this Act, the commissioners  
24 shall draw lots to determine which two commissioners serve a term of  
25 four years, and which commissioner serves a term of two years.

26       SECTION 3. (a) The legal notice of the intention to  
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

6 (b) The governor, one of the required recipients, has  
7 submitted the notice and Act to the Texas Commission on  
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed  
10 its recommendations relating to this Act with the governor, the  
11 lieutenant governor, and the speaker of the house of  
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this  
14 state and the rules and procedures of the legislature with respect  
15 to the notice, introduction, and passage of this Act are fulfilled  
16 and accomplished.

17 SECTION 4. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2021.