

BILL ANALYSIS

Senate Research Center
88R3011 SCP-F

S.B. 1088
By: Perry
Local Government
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The mission of the West Central Texas Municipal Water District (WCTMWD) mission is to deliver raw water to the district's members cities (Abilene, Albany, Anson, and Breckenridge) and others for municipal, industrial, mining, domestic/livestock and irrigation purposes. The district was created in March 1955, pursuant to H.B. 407, 54th Legislature of the State of Texas.

The district has had difficulty finding members to serve on the board the way the enabling legislation was drafted.

Bill Summary:

The bill broadens the eligibility requirements for the individuals who may be appointed to serve on the district's board of directors to include those who reside in and own taxable property within the same county in which a member city—Abilene, Albany, Anson, and Breckenridge—is located.

As proposed, S.B. 1088 amends current law relating to eligibility to serve as a member of the board of directors of the West Central Texas Municipal Water District.

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 3(a), (b), (c), and (d), Chapter 66, Acts of the 54th Legislature, Regular Session, 1955, as follows:

(a) Requires that all powers of the West Central Texas Municipal Water District (District) be exercised by a Board of Directors. Requires each city in the District to appoint a person to the Board of Directors, as provided by Section 3(a), by majority vote of the governing body of a city. Makes nonsubstantive changes.

(b) Requires the number of directors to be appointed by each city, rather than from each city, in the District to be governed by the population of the city, according to the most recent Federal Census, as follows:

(1) requires each city having a population of 10,000 or less, to appoint two directors; and

(2) requires each city having a population of more than 10,000, to appoint two directors plus one director for each 10,000 population or part thereof over 10,000, provided however, that a city is prohibited from appointing more than one-half of the members of the Board.

(c) Requires the governing body of each city, in May of each year, to appoint the necessary director or directors for the two-year term beginning June 1st of that year.

Authorizes the first director appointed by any city, hereafter annexed to the district, which is entitled to only one director, to be appointed for a term ending on a May 31st not more than two years from date of appointment. Deletes existing text requiring certain appointments and terms of initial directors to serve on the Board.

(d) Requires each director to serve for the director's term of office as herein provided, and thereafter until a successor be appointed and qualified. Prohibits a person from being appointed a director unless the person resides in and owns taxable property in a county in which the city that appointed the person is located. Requires directors to subscribe the constitutional oath of office, and requires each to give bond for the faithful performance of the director's duties in the amount of \$5,000, the cost of which is required to be paid by the district. Requires the governing body of such city, if any director no longer resides in and owns taxable property in a county in which the city that appointed the director is located, to appoint a director to succeed that director, for the unexpired term. Makes conforming and nonsubstantive changes.

SECTION 2. Provides that the West Central Texas Municipal Water District retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

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, 2023.