By:  Vasut H.B. No. 5387

A BILL TO BE ENTITLED

AN ACT

relating to the election, terms, and resignation of the board of commissioners of the Brazoria Drainage District No. 4.

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

SECTION 1.  Section 7(a), Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, is amended to read as follows:

(a)  The district is managed by a board of three commissioners as provided by Chapter 56, Water Code, and each holds an elected office designated as Place No. 1, Place No. 2, or Place No. 3. The board shall call and hold elections for the appropriate number of commissioners on the uniform election date in May [~~November~~] of each even-numbered year. Notwithstanding Section 56.063, Water Code, the commissioners serve staggered four-year terms, each beginning June [~~January~~] 1 of the year following the commissioner's election and continuing until the commissioner's successor in office is elected and has qualified.

SECTION 2.  Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, is amended to add Section 7(a-1) to read as follows:

(a-1)  If a commissioner announces his candidacy, or shall in fact become a candidate, in any general, special, or primary election, for any office of profit or trust under the laws of this State or the United States other than the office of commissioner of the board of this district, such announcement or candidacy shall constitute an automatic resignation from office.

SECTION 3.  Sections 7(b), (c), (d), (e), and (i), Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, are repealed.

SECTION 4.  (a)  The Brazoria Drainage District No. 4 shall hold the first election to elect commissioners for Place No. 1 and Place No. 2 as described by Section 7(a), Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, as amended by this Act, on the uniform election date in May 2024.

(b)  The Brazoria Drainage District No. 4 shall hold the first election to elect the commissioner for Place No. 3 as described by Section 7(a), Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, as amended by this Act, on the uniform election date in May 2026.

(c)  The terms of the commissioners currently serving on the board of commissioners for Place No. 1 and Place No. 2 on the effective date of this Act expire on the later of January 1, 2025 or the date the commissioners elected under Subsection (a) of this section have qualified.

(d)  The term of the commissioner currently serving on the board of commissioners for Place No. 3 on the effective date of this Act expires on the later of January 1, 2027 or the date the commissioner elected under Subsection (b) of this section has qualified.

SECTION 5.  (a)  The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

(d)  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 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.