

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

1 constitute an automatic resignation from office.

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4 repealed.

5 SECTION 4. (a) The Brazoria Drainage District No. 4 shall
6 hold the first election to elect commissioners for Place No. 1 and
7 Place No. 2 as described by Section 7(a), Chapter 991, Acts of the
8 74th Legislature, Regular Session, 1995, as amended by this Act, on
9 the uniform election date in May 2024.

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

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

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

25 SECTION 5. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

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

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

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

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