

1-1 By: Perry S.B. No. 1088
1-2 (In the Senate - Filed February 22, 2023; March 9, 2023,
1-3 read first time and referred to Committee on Local Government;
1-4 March 29, 2023, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; March 29, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to eligibility to serve as a member of the board of
1-20 directors of the West Central Texas Municipal Water District.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 3(a), (b), (c), and (d), Chapter 66,
1-23 Acts of the 54th Legislature, Regular Session, 1955, are amended to
1-24 read as follows:

1-25 (a) All powers of the District shall be exercised by a Board
1-26 of Directors. Each city in the District~~[, each of whom]~~ shall
1-27 appoint a person to the Board of Directors, as provided by this
1-28 section, [be appointed] by majority vote of the governing body of a
1-29 [the] city [in which he resides].

1-30 (b) The number of Directors to be appointed by ~~[from]~~ each
1-31 city in the District shall be governed by the population of the
1-32 city, according to the most recent Federal Census, as follows:

1-33 (1) each [Each] city having a population of ten
1-34 thousand (10,000) or less, shall appoint two (2) Directors; and

1-35 (2) each [Each] city having a population of more than
1-36 ten thousand (10,000), shall appoint two (2) Directors plus one (1)
1-37 Director for each ten thousand (10,000) population or part thereof
1-38 over ten thousand (10,000), provided however, that no city shall
1-39 appoint more than one-half (1/2) of the members of the Board.

1-40 (c) In ~~[the appointment of Directors from each city which is~~
1-41 ~~entitled to appoint more than one (1) Director, not less than one~~
1-42 ~~(1) Director shall serve to and including May 31, 1956, and not less~~
1-43 ~~than one (1) shall serve to and including May 31, 1957, the~~
1-44 ~~Directors to serve for the short term and those to serve for the~~
1-45 ~~long term shall be specified by the governing body of the city; in~~
1-46 ~~May of 1956 and in] May of each year the governing body of each~~
1-47 ~~[such] city shall appoint the necessary Director or Directors for~~
1-48 ~~the two (2) year term beginning June 1st of that year. The first~~
1-49 ~~Director appointed by [from] any city, hereafter annexed to the~~
1-50 ~~District, which is entitled to only one (1) Director, may be~~
1-51 ~~appointed for a term ending on a May 31st not more than two (2) years~~
1-52 ~~from date of appointment. The subsequent Director or Directors~~
1-53 ~~shall be appointed as provided above.~~

1-54 (d) Each Director shall serve for the Director's [his] term
1-55 of office as herein provided, and thereafter until a [his]
1-56 successor shall be appointed and qualified. No person shall be
1-57 appointed a Director unless the person [he] resides in and owns
1-58 taxable property in a county in which the city that [from which he
1-59 is] appointed the person is located. No member of a governing body
1-60 of a city, and no employee of a city shall be appointed as Director.
1-61 Such Directors shall subscribe the Constitutional oath of office,

2-1 and each shall give bond for the faithful performance of the
2-2 Director's [his] duties in the amount of Five Thousand Dollars
2-3 (\$5,000), the cost of which shall be paid by the District. A
2-4 majority shall constitute a quorum. If any Director no longer
2-5 resides in and owns taxable property in a county in which the city
2-6 that appointed the Director is located [~~moves from the city from~~
2-7 ~~which he is appointed~~], the governing body of such city shall
2-8 appoint a Director to succeed that Director [~~him~~], for the
2-9 unexpired term.

2-10 SECTION 2. The West Central Texas Municipal Water District
2-11 retains all rights, powers, privileges, authority, duties, and
2-12 functions that it had before the effective date of this Act.

2-13 SECTION 3. (a) The legal notice of the intention to
2-14 introduce this Act, setting forth the general substance of this
2-15 Act, has been published as provided by law, and the notice and a
2-16 copy of this Act have been furnished to all persons, agencies,
2-17 officials, or entities to which they are required to be furnished
2-18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-19 Government Code.

2-20 (b) The governor, one of the required recipients, has
2-21 submitted the notice and Act to the Texas Commission on
2-22 Environmental Quality.

2-23 (c) The Texas Commission on Environmental Quality has filed
2-24 its recommendations relating to this Act with the governor, the
2-25 lieutenant governor, and the speaker of the house of
2-26 representatives within the required time.

2-27 (d) All requirements of the constitution and laws of this
2-28 state and the rules and procedures of the legislature with respect
2-29 to the notice, introduction, and passage of this Act are fulfilled
2-30 and accomplished.

2-31 SECTION 4. This Act takes effect immediately if it receives
2-32 a vote of two-thirds of all the members elected to each house, as
2-33 provided by Section 39, Article III, Texas Constitution. If this
2-34 Act does not receive the vote necessary for immediate effect, this
2-35 Act takes effect September 1, 2023.

2-36 * * * * *