

By: Vasut

H.B. No. 2694

Substitute the following for H.B. No. 2694:

By: Martinez

C.S.H.B. No. 2694

A BILL TO BE ENTITLED

AN ACT

relating to the election and resignation of and filling of  
vacancies on 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, Chapter 991, Acts of the 74th  
Legislature, Regular Session, 1995, is amended by amending  
Subsections (a) and (f) and adding Subsection (a-1) 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 odd-numbered ~~[even-numbered]~~ year. The  
~~[Notwithstanding Section 56.063, Water Code, the]~~ commissioners  
serve staggered four-year terms, each beginning June ~~[January]~~ 1 of  
the year of ~~[following]~~ the commissioner's election and continuing  
until the commissioner's successor in office is elected and has  
qualified.

(a-1) If a commissioner announces the commissioner's  
candidacy, or in fact becomes 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

1 commissioner for the district at any time when the unexpired term of  
2 office of the commissioner exceeds one year and 30 days, the  
3 announcement or candidacy constitutes an automatic resignation of  
4 the office of the commissioner.

5 (f) A vacancy in a commissioner's office or other board  
6 office shall be filled as provided by Section 49.105, Water Code [~~by~~  
7 ~~appointment by the remaining commissioners if less than 290 days~~  
8 ~~remain before the date of the next regular election of one or more~~  
9 ~~commissioners. If the commissioners do not agree on an appointment~~  
10 ~~before the 61st day after the date the vacancy occurs, the~~  
11 ~~commissioners shall call and hold a special election to fill the~~  
12 ~~office before the 121st day after the date the vacancy occurs]~~.

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15 are repealed.

16 SECTION 3. (a) The Brazoria Drainage District No. 4 shall  
17 hold the first election to elect commissioners for Place No. 1 and  
18 Place No. 2 as described by Section 7(a), Chapter 991, Acts of the  
19 74th Legislature, Regular Session, 1995, as amended by this Act, on  
20 the uniform election date in May 2029.

21 (b) The Brazoria Drainage District No. 4 shall hold the  
22 first election to elect the commissioner for Place No. 3 as  
23 described by Section 7(a), Chapter 991, Acts of the 74th  
24 Legislature, Regular Session, 1995, as amended by this Act, on the  
25 uniform election date in May 2027.

26 (c) The terms of the commissioners for Place No. 1 and Place  
27 No. 2 serving on the board of commissioners of the Brazoria Drainage

District No. 4 on the effective date of this Act expire on the later of May 31, 2029, or the date the commissioners elected under Subsection (a) of this section have qualified.

(d) The term of the commissioner for Place No. 3 serving on the board of commissioners of the Brazoria Drainage District No. 4 immediately before the date of the election held under Subsection (b) of this section expires on the later of May 31, 2027, or the date the commissioner elected under that subsection has qualified.

SECTION 4. (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 5. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2025.