

By: Kerwin

H.B. No. 5671

A BILL TO BE ENTITLED

AN ACT

relating to the election of directors for and the authority to issue bonds of the Johnson County Special Utility District.

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

SECTION 1. Subchapter B, Chapter 7216, Special District Local Laws Code, is amended by adding Sections 7216.052 and 7216.053 to read as follows:

Sec. 7216.052. DIRECTOR ELIGIBILITY. To be eligible to be listed on the ballot as a candidate for or to serve as a director, a person must be:

(1) a qualified voter;

(2) a retail water or sewer service customer of the district; and

(3) an owner of:

(A) land receiving services from the district; or

(B) a beneficial interest in a trust that owns land receiving services from the district.

Sec. 7216.053. ELECTION OF DIRECTORS FROM SINGLE-MEMBER DISTRICTS. (a) The board by rule may provide for the election of some or all of the directors from single-member districts.

(b) In addition to requirements of Section 7216.052, if the board provides for the election of some or all of the directors from single-member districts, to be eligible to be listed on the ballot as a candidate for or to serve as a director from a single-member

1 district, a person must be a resident of that district.

2 SECTION 2. Section 7216.101, Special District Local Laws  
3 Code, is amended to read as follows:

4 Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS. The  
5 ~~[Except as specifically limited by Section 7216.102, the]~~ district  
6 has all of the rights, powers, privileges, authority, functions,  
7 and duties provided by general law applicable to a special utility  
8 district created under Section 59, Article XVI, Texas Constitution,  
9 including those provided by Chapters 49 and 65, Water Code.

10 SECTION 3. Subchapter D, Chapter 7216, Special District  
11 Local Laws Code, is amended by adding Section 7216.152 to read as  
12 follows:

13 Sec. 7216.152. AUTHORITY TO ISSUE BONDS. (a) The district  
14 has the rights, powers, duties, and obligations of an issuer under  
15 Chapter 1371, Government Code.

16 (b) Sections 49.181 and 49.182, Water Code, do not apply to  
17 the district.

18 SECTION 4. Section 7216.102, Special District Local Laws  
19 Code, is repealed.

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

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

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

7 (d) All requirements of the constitution and laws of this  
8 state and the rules and procedures of the legislature with respect  
9 to the notice, introduction, and passage of this Act are fulfilled  
10 and accomplished.

11 SECTION 6. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2025.