

By: Krause

H.B. No. 648

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of directors to the board of directors for the Viridian Municipal Management District.

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

SECTION 1. Section 3861.051, Special District Local Laws Code, is amended to read as follows:

Sec. 3861.051. GOVERNING BODY; TERMS. The district is governed by a board of five directors who serve staggered terms of four years~~[, with two or three directors' terms expiring May 31 of each even-numbered year].~~.

SECTION 2. Section 3861.052, Special District Local Laws Code, is amended to read as follows:

Sec. 3861.052. APPOINTMENT OF DIRECTORS; VACANCY ~~[ELECTION DATE]~~. (a) The mayor and members of the governing body of the city shall appoint directors from persons recommended by the board. A person is appointed if a majority of members and the mayor vote to appoint that person.

(b) A vacancy on the board shall be filled for the remainder of the unexpired term in the same manner as the original appointment. ~~[The board shall hold elections for directors on the uniform election date in May in even-numbered years.]~~

SECTION 3. Section 3861.203, Special District Local Laws Code, is amended to read as follows:

Sec. 3861.203. APPOINTMENT ~~[ELECTION]~~ OF DIRECTORS OF NEW

1 DISTRICTS. (a) Not later than the 90th day after the date of an  
2 election in favor of the division of the district, the mayor and  
3 members of the governing body of the city ~~[board]~~ shall:

4 (1) appoint ~~[itself as]~~ the board of the original  
5 district as the board of one of the new districts; and

6 (2) appoint five directors for each of the other new  
7 districts in the manner prescribed by Section 3861.052.

8 (b) Directors appointed under Subsection (a)(1) serve the  
9 remainder of the ~~[staggered]~~ terms to which they were appointed  
10 ~~[elected]~~ in the original district. Notwithstanding Section  
11 3861.053, a director appointed under Subsection (a)(1) is eligible  
12 to serve only if the director owns land inside the area described by  
13 the boundaries of the original district.

14 (c) The mayor and members of the governing body of the city  
15 shall designate the initial terms of the directors appointed to  
16 each board under Subsection (a)(2) so that:

17 (1) two of the directors serve a two-year term; and

18 (2) three of the directors serve a four-year term

19 ~~[Directors appointed under Subsection (a)(2) serve until the~~  
20 ~~election for directors under Subsection (c)]~~.

21 ~~[(c) On the uniform election date in May of the first~~  
22 ~~even-numbered year after the year in which the directors are~~  
23 ~~appointed, the appointed board shall hold an election to elect five~~  
24 ~~directors in each district for which directors were appointed under~~  
25 ~~Subsection (a)(2). The directors shall draw lots to determine~~  
26 ~~which two shall serve until the next regularly scheduled election~~  
27 ~~of directors and which three shall serve until the second regularly~~

1 ~~scheduled election of directors.]~~

2       SECTION 4. Section 3861.054, Special District Local Laws  
3 Code, is repealed.

4       SECTION 5. (a) A member of a board of directors who was  
5 elected under Section 3861.052 or 3861.203, Special District Local  
6 Laws Code, or appointed to fill a vacancy under Section 3861.054,  
7 Special District Local Laws Code, before the effective date of this  
8 Act shall continue to serve until the expiration of the member's  
9 term.

10       (b) The mayor and members of the governing body of the city  
11 may make the appointments permitted by Section 3861.052, Special  
12 District Local Laws Code, as amended by this Act, to fill a vacancy  
13 occurring on the board of directors on or after the effective date  
14 of this Act.

15       SECTION 6. This Act takes effect September 1, 2015.