

By: Gallego

H.B. No. 1177

A BILL TO BE ENTITLED

AN ACT

relating to the election of members of the board of directors of the Middle Pecos Groundwater Conservation District.

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

SECTION 1. Section 8, Chapter 1299, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 8. ELECTION OF DIRECTORS. On the uniform election date in November [~~first Saturday in May~~] of each [~~the first~~] even-numbered year [~~after the year in which the district is authorized to be created at a confirmation election and on the first Saturday in May of each subsequent second year~~], an election shall be held in the district to elect the appropriate number of directors.

SECTION 2. A director of the board of the Middle Pecos Groundwater Conservation District who is serving on the day before the effective date of this Act shall serve until the director's term expires. A director whose term expires in May 2012 shall continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2012 in accordance with Section 8, Chapter 1299, Acts of the 77th Legislature, Regular Session, 2001, as amended by this Act. A director whose term expires in May 2014 shall continue to serve until the director's successor has qualified following the directors' election held on the uniform election date in November

1 2014.

2 SECTION 3. (a) All governmental acts and proceedings of the
3 Middle Pecos Groundwater Conservation District relating to the
4 election of members of the board of directors of the district that
5 were taken before the effective date of this Act are validated,
6 ratified, and confirmed in all respects as if they had been taken as
7 authorized by law.

8 (b) This section does not apply to any matter that on the
9 effective date of this Act:

10 (1) is involved in litigation if the litigation
11 ultimately results in the matter being held invalid by a final court
12 judgment; or

13 (2) has been held invalid by a final court judgment.

14 SECTION 4. (a) The legal notice of the intention to
15 introduce this Act, setting forth the general substance of this
16 Act, has been published as provided by law, and the notice and a
17 copy of this Act have been furnished to all persons, agencies,
18 officials, or entities to which they are required to be furnished
19 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
20 Government Code.

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

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

1 (d) All requirements of the constitution and laws of this
2 state and the rules and procedures of the legislature with respect
3 to the notice, introduction, and passage of this Act are fulfilled
4 and accomplished.

5 SECTION 5. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2011.