(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 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1113 on May 23, 2009: Yeas 139, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.

CHAPTER 350

H.B. No. 1134

AN ACT
relating to the authority of the Dallas County Flood Control District No. 1 to enter into a tax abatement agreement and to designate a reinvestment zone.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 16A, Chapter 1081, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

Sec. 16A. TAX ABATEMENT CRITERIA. The district may enter into a tax abatement agreement and may designate an area as a reinvestment zone on a finding by the board of directors that the proposed commercial-industrial or residential project or projects meet the criteria prescribed by Section 16D of this Act. The agreement must provide for the availability of tax abatement for both new facilities and structures and for the expansion or modernization of existing facilities and structures.

SECTION 2. Sections 16C(b) and (c), Chapter 1081, Acts of the 68th Legislature, Regular Session, 1983, are amended to read as follows:

(b) The resolution must describe the boundaries of the zone and the eligibility of the zone for commercial-industrial or residential tax abatement.

(c) Area of a reinvestment zone designated for commercial-industrial or residential tax abatement may be included in an overlapping or coincidental commercial-industrial or residential zone established under Chapter 312, Tax Code.

SECTION 3. Section 16D(b), Chapter 1081, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

(b) The designation of a reinvestment zone for commercial-industrial or residential tax abatement expires five years after the date of the designation and may be renewed for periods not to exceed five years. The expiration of the designation does not affect an existing tax abatement agreement made under this Act.

SECTION 4. Section 16E(a), Chapter 1081, Acts of the 68th Legislature, Regular Session, 1983, is amended to read as follows:

(a) The district may agree in writing with the owner of taxable real property that is located in a reinvestment zone, but that is not in an improvement project financed by tax increment bonds, to exempt from taxation a portion of the value of the real property or of tangible personal property located on the real property, or both, for a period not to exceed 30 years, subject to the rights of holders of outstanding bonds of the district, on the condition that the owner of the property make specific improvements or repairs to the property. An agreement may provide for the exemption of the real property in each year covered by the agreement only to the extent its value for that year exceeds its value for the year in which the agreement
is executed. An agreement may provide for the exemption of tangible personal property located on the real property in each year covered by the agreement other than tangible personal property that was located on the real property at any time before the period covered by the agreement with the district. An agreement may cover more than one commercial-industrial or residential project.

SECTION 5. The changes in law made by this Act apply only to a tax abatement agreement entered into or a designation of a reinvestment zone made by the Dallas County Flood Control District No. 1 on or after the effective date of this Act. A tax abatement agreement entered into or a designation of a reinvestment zone made by the district before the effective date of this Act is governed by the law in effect when the contract was entered into or the designation was made, and that law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2009.

Passed by the House on April 28, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 22, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 351

H.B. No. 1145

AN ACT

relating to the appointment of election judges.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 32.002(a), (b), and (c), Election Code, are amended to read as follows:

(a) The commissioners court [at its July term] shall appoint the election judges for each regular county election precinct:

   (1) at its July term in a county with a population of over 500,000; or

   (2) at its August term in a county with a population of 500,000 or less.

(b) Judges appointed under Subsection (a) serve for a term of one year [beginning on August 1 following the appointment], except that the commissioners court by order recorded in its minutes may provide for a term of two years. A judge's term begins:

   (1) August 1 following appointment in a county to which Subsection (a)(1) applies; or

   (2) September 1 following appointment in a county to which Subsection (a)(2) applies.

(c) The presiding judge and alternate presiding judge must be affiliated or aligned with different political parties, subject to this subsection. Before July of each year in a county to which Subsection (a)(1) applies or before August of each year in a county to which Subsection (a)(2) applies, the county chair of a political party whose candidate for governor received the highest or second highest number of votes in the county in the most recent gubernatorial general election shall submit in writing to the commissioners court a list of names of persons in order of preference for each precinct who are eligible for appointment as an election judge. The county chair may supplement the list of names of persons until the 20th day before a general election or the 15th day before a special election in case an appointed election judge becomes unable to serve. The commissioners court shall appoint the first person meeting the applicable eligibility requirements from the list submitted in compliance with this subsection by the party with the highest number of votes in the precinct as the presiding judge and the first person meeting the applicable eligibility requirements from the list submitted in compliance with this subsection by the party with the second highest number of votes in the precinct as the alternate presiding judge. The commissioners court may reject the list if the persons whose names are submitted on the list are determined not to meet the applicable eligibility requirements.