

## **BILL ANALYSIS**

Senate Research Center  
76R6901 JJT-D

S.B. 768  
By: Madla  
Economic Development  
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As Filed

### **DIGEST**

Currently, 24 emergency communication districts provide 911 service to 29 Texas counties. These districts are overseen by independent governing boards that exist for the sole purpose of providing 911 service. Districts are not overseen by the Advisory Commission on State Emergency Communications which manages the state's 911 system; they do not receive funding from the state's emergency services fee, but are eligible to receive equalization grants from the state's surcharge on intra-state long distance calls; they receive funds from the portion of the state's wireless communications connections fee that is collected in their jurisdiction; and they may assess fees on basic telephone service. S.B. 768 would authorize the consolidation of emergency communication districts which would benefit the participating jurisdictions.

### **PURPOSE**

As proposed, S.B. 768 authorizes the consolidation of emergency communication districts.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 771.001(3), Health and Safety Code, to redefine "emergency communication district" and to make a confirming change.

SECTION 2. Amends Chapter 772, Health and Safety Code, by adding Subchapter F, as follows:

#### **SUBCHAPTER F. CONSOLIDATED DISTRICTS**

Sec. 772.451. **CONSOLIDATION PROCEDURE.** Authorizes two or more emergency communication districts governed by this chapter to be consolidated into a single district. Authorizes the board of managers of each district (board) to call and hold an election in the district's participating jurisdictions to approve a consolidation if the board to be consolidated finds that a consolidation of districts would benefit the participating jurisdictions. Requires elections in each district to be held on the same uniform election date provided by Chapter 41, Election Code. Requires each district to pay the election expenses of its participating jurisdictions. Requires the election ballot for the approval of a district being authorized to consolidate with other named districts to permit voting for or against the proposition.

Sec. 772.452. **CONSOLIDATION PLANNING.** Requires the board to conduct a planning meeting with the boards of managers of other districts whose voters have approved a consolidation if a majority of voters voting at the election approve the consolidation. Requires the planning meeting to be a public meeting. Requires the board of managers to devise a consolidation plan which includes certain information at the planning meeting. Prohibits a consolidated district from being created until certain conditions are met if a consolidated district is not created under Section 772.453 before the first anniversary of the date of the election held under Section 772.451.

Sec. 772.453. **CREATION OF CONSOLIDATED DISTRICT.** Requires the combined boards of managers to declare the consolidated district created when the board has adopted the same consolidation plan. Authorizes remaining districts to consolidate on mutually agreeable consolidation plan terms if the board of managers of a district does not agree to a consolidation

plan.

Sec. 772.454. BOARD OF MANAGERS. Provides that the consolidated district is governed by a board of managers appointed in accordance with the order issued by the temporary board of managers under Subsection (b). Provides that the members of the boards of managers from all consolidated districts serve as a temporary board until all members of the initial board of managers are appointed and qualify. Provides that the temporary board has all authority necessary to operate and administer the district. Requires the temporary board of managers, by order, to adjust the board membership before the 45th day after the date the district is created. Sets forth the required information to be included in the order. Requires the order issued under Subsection (b) to preserve as nearly as possible the proportional representation of interests exhibited by the boards of managers memberships of several districts before consolidation.

Sec. 772.455. GOVERNANCE OF CONSOLIDATED DISTRICT. Provides that the consolidated district and its board of managers are governed by the provisions of this chapter that governed the most populous districts before the consolidation, except as provided by this subchapter.

SECTION 3. Emergency clause.  
Effective date: upon passage.