

BILL ANALYSIS

Senate Research Center
77R3045 QS-D

S.B. 821
By: Truan
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, the Port of Corpus Christi owns and operates facilities in San Patricio County and Nueces County. As proposed, S.B. 821 offers voters of San Patricio the opportunity to be annexed into the port and to have representation on the port commission. S.B. 821 also adds another representative from the City of Corpus Christi to the port commission.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Definitions. Defines “authority,” “commissioners court,” and “port commission.”

SECTION 2. CONFIRMATION ELECTION. Requires the commissioners court, as soon as practicable after the effective date of this Act, to call and hold an election in San Patricio County to allow for voting for or against certain propositions. Requires the commissioners court to conduct the election as provided by Sections 62.296 (Notice of Election); 62.297 (Ballots); and 62.298 (Election Officials), Water Code, performing all the duties of the commission of the annexing district provided by those sections. Requires the commissioners court to canvass the return of the election and certify the election result to the port commission. Requires the port commission, if a majority of the voters voting at the election favor the annexation of San Patricio County, to enter and have recorded an order of annexation as provided by Section 62.299(b)-(d) (Canvass of Vote; Entry of Order), Water Code. Provides that the territory annexed under this section is subject to bonded indebtedness and taxation as provided by Sections 62.299(b) and (c). Provides that Section 41.001 (Uniform Election Dates), Election Code, does not apply to an election held under this section. Requires the confirmation election, except as provided by this section, to be conducted as provided by the Election Code.

SECTION 3. EXPIRATION DATE. Provides that if the annexation of San Patricio County is not approved at an election held under Section 2 of this Act before September 1, 2003, this Act expires on that date.

SECTION 4. PORT COMMISSION. Provides that if the annexation of San Patricio County is approved at an election held under Section 2 of this Act notwithstanding Section 1, Chapter 397 (Composition of Port Commission), Acts of the 68th Legislature, Regular Session, 1983, the port commission is composed of nine members; notwithstanding Section 2, Chapter 397 (Appointment of Port Commissioners), Acts of the 68th Legislature, Regular Session, 1983 the Commissioners Court of Nueces County is required to appoint four members to the port commission; the City Council of Corpus Christi is required to appoint four members to the port commission; the Commissioners Court of San Patricio County is required to appoint one member to the port commission; and to be eligible for appointment to the port commission, a person is required to have been a resident of Nueces County or San Patricio County for at least the six months preceding the date of the appointment; the commissioners court serving at the time the annexation of San Patricio County is approved continue to

serve, unless otherwise removed as provided by law, until the expiration of their terms; not later than the 90th day after the annexation of San Patricio County is approved, the City Council of Corpus Christi is required to appoint one member to the port commission and the Commissioners Court of San Patricio County is required to appoint one member to the port commission; the two new commissioners are required to draw lots to determine whose term expires the next time the terms of two other commissioners expire and whose term expires the following time the terms of two other commissioners expire; the terms of the two new commissioners are prohibited from expiring at the time the terms of three other commissioners expire; and after the initial terms of the new commissioners, all of the commissioners are required to serve staggered three-year terms, as provided by Section 3, Chapter 397 (Terms of Office), Acts of 68th Legislature, Regular Session, 1983, with the terms of three commissioner expiring every year.

SECTION 5. Effective date: upon passage or September 1, 2001.