

BILL ANALYSIS

Senate Research Center
83R6338 SLB-F

S.B. 683
By: Birdwell
Natural Resources
3/4/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 683 seeks to move the elections for the board of directors of the Benbrook Water Authority to the uniform election date in November of odd-numbered years and to update the statute. Currently, regular elections for the Benbrook Water Authority must be held on a uniform election date in May as called by the board of directors. The enabling statute also notes requirements for specific date ranges that have passed.

As proposed, S.B. 683 amends current law relating to the election of members of the board of directors of the Benbrook Water Authority.

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. Amends Section 3(c), Chapter 123, Acts of the 54th Legislature, Regular Session, 1955, as follows:

(c) Requires that regular elections for the election of the appropriate number of directors of the Benbrook Water Authority be held on the uniform date in November of each odd-numbered year or another date authorized by law and are governed by Chapters 49 (Provisions Applicable to All Districts) and 51 (Water and Improvement Districts), Water Code. Provides that directors serve staggered four-year terms, with two or three directors' terms expiring each odd-numbered year on the date the successors qualify. Requires the three candidates receiving the highest number of votes to be elected for a term of four years in every election at which three directors are elected, rather than in every election beginning in 2000 in which three directors are elected. Requires the two candidates receiving the highest number of votes to be elected for a term of four years in every election in which two directors are elected, rather than in the election of directors held in 1998 and in every subsequent election at which two directors are elected.

Deletes existing text requiring a regular election for the election of directors to be held on the first Saturday in April of each year after 1969 and before 1994. Deletes existing text requiring that regular elections for the election of directors to, after 1993, be held on a uniform date and are governed by Chapters 49 and 51, Water Code. Deletes existing text requiring the two candidates receiving the highest number of votes to be elected, in even-numbered years, to serve for a period of two years, and in odd-numbered years, the three candidates receiving the highest number of votes to be elected to serve for two years, after 1969 and before 1997. Deletes existing text requiring three directors to be elected in 1997, and the three candidates receiving the highest number of votes in that year to be elected for a term of three years.

SECTION 2. Requires a member of the board of directors of the Benbrook Water Authority who is serving on the day before the effective date of this Act to serve until the expiration of the director's term, as provided by Resolution No. 2012-4, adopted by the board of directors of the Benbrook Water Authority on February 7, 2012.

SECTION 3. Provides that all requirements of the constitution and the 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. Effective date: upon passage or September 1, 2013.