

BILL ANALYSIS

H.B. 2667
By: Dutton
Elections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, municipal utility districts (MUDs) are classified as political subdivisions, which are responsible for conducting their own elections. Many political subdivisions often contract with the county, so that the county clerk, who is responsible for administering the county election, can provide election services for the political subdivision, even though this is not required. Elected officers representing their respective MUDs sometimes conduct their elections haphazardly with complete disregard for election law, giving rise to nepotism, fraud, and abuse of the public trust. House Bill 2667 tries to alleviate these problems by requiring county election officials to conduct elections for members of the MUD board.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 2667 amends the Water Code to require the county clerk, or another county officer who performs the election duties of the county clerk, to perform the duties of the board of a municipal utility district (MUD), in an election for a member of the board of the MUD. If the MUD is located in more than one county, the bill requires the county clerk in the county containing the most inhabitants of the MUD to perform these election duties. The bill requires the MUD to pay the county for the election services, under a contract to furnish election services.

EFFECTIVE DATE

September 1, 2005.