

1-1 By: Zaffirini S.B. No. 855
1-2 (In the Senate - Filed March 2, 2015; March 11, 2015, read
1-3 first time and referred to Committee on Agriculture, Water, and
1-4 Rural Affairs; April 1, 2015, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 1, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the territory and board of the Canyon Regional Water
1-18 Authority.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 1.02(a), Chapter 670, Acts of the 71st
1-21 Legislature, Regular Session, 1989, is amended by adding
1-22 Subdivision (4-a) to read as follows:

1-23 (4-a) "Member entity" means an entity, including a
1-24 water supply corporation, or political subdivision whose territory
1-25 has been added to the authority by virtue of legislative action or
1-26 in accordance with the procedures provided for in Section 7.01 and
1-27 whose territory has not been removed from the authority.

1-28 SECTION 2. Section 2.03(a), Chapter 670, Acts of the 71st
1-29 Legislature, Regular Session, 1989, is amended to read as follows:

1-30 (a) The authority includes all the territory located in the
1-31 service area of the member entities [~~Crystal Clear Water Supply~~
1-32 ~~Corporation, the East Central Water Supply Corporation, the Green~~
1-33 ~~Valley Water Supply Corporation, and the Springs Hill Water Supply~~
1-34 ~~Corporation]~~ as provided by their respective certificates of
1-35 convenience and necessity [~~issued by the commission~~].

1-36 SECTION 3. Section 3.02, Chapter 670, Acts of the 71st
1-37 Legislature, Regular Session, 1989, is amended to read as follows:

1-38 Sec. 3.02. QUALIFICATIONS OF TRUSTEES. (a) To be
1-39 qualified to serve as a trustee, a person must be:

1-40 (1) at least 18 years old; and
1-41 (2) a resident of the territory located in the
1-42 authority.

1-43 (b) A trustee who also serves on the governing body of a
1-44 member entity is not a dual officeholder and is not prohibited by
1-45 the common law doctrine of incompatibility from serving on both the
1-46 board and the governing body.

1-47 (c) Service on the board by a public officeholder is an
1-48 additional duty of that person's office.

1-49 SECTION 4. Section 4.03(a), Chapter 670, Acts of the 71st
1-50 Legislature, Regular Session, 1989, is amended to read as follows:

1-51 (a) The authority may exercise the power of eminent domain
1-52 as provided by Section 49.222, Water Code, to acquire by
1-53 condemnation a fee simple or other interest in property located in
1-54 the territory of the authority if the property interest is
1-55 necessary to the exercise of the rights or authority conferred by
1-56 this Act.

1-57 SECTION 5. Sections 4.03(b) and (c), Chapter 670, Acts of
1-58 the 71st Legislature, Regular Session, 1989, are repealed.

1-59 SECTION 6. (a) The legal notice of the intention to
1-60 introduce this Act, setting forth the general substance of this
1-61 Act, has been published as provided by law, and the notice and a

2-1 copy of this Act have been furnished to all persons, agencies,
2-2 officials, or entities to which they are required to be furnished
2-3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-4 Government Code.

2-5 (b) The governor, one of the required recipients, has
2-6 submitted the notice and Act to the Texas Commission on
2-7 Environmental Quality.

2-8 (c) The Texas Commission on Environmental Quality has filed
2-9 its recommendations relating to this Act with the governor, the
2-10 lieutenant governor, and the speaker of the house of
2-11 representatives within the required time.

2-12 (d) All requirements of the constitution and laws of this
2-13 state and the rules and procedures of the legislature with respect
2-14 to the notice, introduction, and passage of this Act are fulfilled
2-15 and accomplished.

2-16 SECTION 7. This Act takes effect immediately if it receives
2-17 a vote of two-thirds of all the members elected to each house, as
2-18 provided by Section 39, Article III, Texas Constitution. If this
2-19 Act does not receive the vote necessary for immediate effect, this
2-20 Act takes effect September 1, 2015.

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