

1-1 By: White (Senate Sponsor - Nichols) H.B. No. 2788
 1-2 (In the Senate - Received from the House April 24, 2017;
 1-3 May 4, 2017, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 11, 2017, reported favorably by
 1-5 the following vote: Yeas 7, Nays 0; May 11, 2017, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the appointment of emergency services commissioners in
 1-19 certain districts located in more than one county.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter C, Chapter 775, Health and Safety
 1-22 Code, is amended by adding Section 775.0341 to read as follows:

1-23 Sec. 775.0341. APPOINTMENT OF BOARD IN CERTAIN DISTRICTS
 1-24 LOCATED IN MORE THAN ONE COUNTY. (a) This section applies only to a
 1-25 district that was authorized to have a board of emergency services
 1-26 commissioners appointed under former Section 776.0345 and that is
 1-27 located:

1-28 (1) partly in a county with a population of less than
 1-29 22,000; and
 1-30 (2) partly in a county with a population of more than
 1-31 54,000.

1-32 (b) A five-member board of emergency services commissioners
 1-33 appointed under this section serves as the district's governing
 1-34 body. A commissioner serves a two-year term.

1-35 (c) The commissioners court of the smallest county in which
 1-36 the district is located shall appoint two commissioners to the
 1-37 board. The commissioners court of the largest county in which the
 1-38 district is located shall appoint three commissioners to the board.

1-39 (d) To be eligible for appointment as an emergency services
 1-40 commissioner under this section, a person must be at least 18 years
 1-41 of age and reside in the district. Two commissioners must reside in
 1-42 the smallest county in which the district is located, and three
 1-43 commissioners must reside in the largest county in which the
 1-44 district is located.

1-45 (e) On January 1 of each year, a commissioners court shall
 1-46 appoint a successor for each emergency services commissioner
 1-47 appointed by that commissioners court whose term has expired.

1-48 (f) The appropriate commissioners court shall fill a
 1-49 vacancy on the board for the remainder of the unexpired term.

1-50 SECTION 2. Section 775.035, Health and Safety Code, is
 1-51 amended by adding Subsection (j) to read as follows:

1-52 (j) This section does not apply to a district described by
 1-53 Section 775.0341.

1-54 SECTION 3. (a) All governmental acts and proceedings of an
 1-55 emergency services district to which former Section 776.0345,
 1-56 Health and Safety Code, applied before that section was repealed
 1-57 and that relate to the selection of emergency services
 1-58 commissioners of the district and that were taken between January
 1-59 1, 2012, and the effective date of this Act are validated, ratified,
 1-60 and confirmed in all respects as if they had been taken as
 1-61 authorized by law.

2-1 (b) This section does not apply to any matter that on the
2-2 effective date of this Act:

2-3 (1) is involved in litigation if the litigation
2-4 ultimately results in the matter being held invalid by a final court
2-5 judgment; or

2-6 (2) has been held invalid by a final court judgment.

2-7 SECTION 4. This Act takes effect immediately if it receives
2-8 a vote of two-thirds of all the members elected to each house, as
2-9 provided by Section 39, Article III, Texas Constitution. If this
2-10 Act does not receive the vote necessary for immediate effect, this
2-11 Act takes effect September 1, 2017.

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