

1-1 By: Sanford (Senate Sponsor - Estes) H.B. No. 2881
 1-2 (In the Senate - Received from the House May 19, 2017;
 1-3 May 19, 2017, read first time and referred to Committee on
 1-4 Administration; May 23, 2017, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0, 1 present not voting; May 23, 2017, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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 board of directors of the Old Celina Municipal
 1-19 Management District No. 1.

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

1-21 SECTION 1. Section 3919.001, Special District Local Laws
 1-22 Code, is amended to read as follows:

1-23 Sec. 3919.001. DEFINITIONS. In this chapter:

1-24 (1) "Board" means the district's board of directors.

1-25 (2) "City" means the City of Celina, Texas.

1-26 (3) "Commission" means the Texas Commission on
 1-27 Environmental Quality.

1-28 (4) ~~[(3)]~~ "County" means Collin County, Texas.

1-29 (5) ~~[(4)]~~ "Director" means a board member.

1-30 (6) ~~[(5)]~~ "District" means the Old Celina Municipal
 1-31 Management District No. 1.

1-32 SECTION 2. Section 3919.051, Special District Local Laws
 1-33 Code, is amended to read as follows:

1-34 Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is
 1-35 governed by a board of five elected directors ~~[composed of:~~

1-36 ~~[(1) three directors appointed by the governing body of
 1-37 the city,~~

1-38 ~~[(2) the city manager, and~~

1-39 ~~[(3) the city's chief financial officer].~~

1-40 (b) Directors ~~[Appointed directors]~~ serve staggered terms
 1-41 of four years, with ~~[one or]~~ two or three directors' terms expiring
 1-42 May 31 of each odd-numbered ~~[even-numbered]~~ year.

1-43 (c) The board shall hold an election for directors on the
 1-44 uniform election date in May in odd-numbered years.

1-45 SECTION 3. Section 3919.052(a), Special District Local Laws
 1-46 Code, is amended to read as follows:

1-47 (a) Section 375.072(c) ~~[Sections 375.063 and 375.072(a) and~~
 1-48 ~~(c)], Local Government Code, does [do] not apply to a director.~~

1-49 SECTION 4. Section 3919.053, Special District Local Laws
 1-50 Code, is amended to read as follows:

1-51 Sec. 3919.053. VACANCY. If a vacancy occurs on the board,
 1-52 the remaining directors ~~[The governing body of the city]~~ shall
 1-53 appoint a director to serve ~~[fill a vacancy on the board]~~ for the
 1-54 remainder of the unexpired term.

1-55 SECTION 5. Section 3919.056(a), Special District Local Laws
 1-56 Code, is amended to read as follows:

1-57 (a) The district shall compensate directors as provided by
 1-58 Section 49.060, Water Code ~~[, each director who is not a member of~~
 1-59 ~~the governing body of the city or an employee of the city].~~

1-60 SECTION 6. Section 3919.059, Special District Local Laws
 1-61 Code, is amended to read as follows:

2-1 Sec. 3919.059. REMOVAL OF DIRECTORS. (a) The board
2-2 [~~governing body of the city~~] may remove a director by unanimous vote
2-3 of the other directors if the director has missed at least half of
2-4 the meetings scheduled during the preceding 12 months.

2-5 (b) A director removed under this section may file a written
2-6 appeal with the commission not later than the 30th day after the
2-7 date the director receives written notice of the board action. The
2-8 commission may reinstate the director if the commission finds that
2-9 the removal was unwarranted under the circumstances after
2-10 considering the reasons for the absences, the time and place of the
2-11 meetings, the business conducted at the meetings missed, and any
2-12 other relevant circumstances. [~~appointed under Section~~
2-13 3919.051(a)(1).]

2-14 SECTION 7. Subchapter B, Chapter 3919, Special District
2-15 Local Laws Code, is amended by adding Section 3919.061 to read as
2-16 follows:

2-17 Sec. 3919.061. TRANSITIONAL DIRECTORS AND INITIAL
2-18 PERMANENT DIRECTORS. (a) The transitional board consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
1	Matthew Kiran
2	Scott Balch
3	Charles Brown
4	G. A. Moore, Jr.
5	Matt Gold

2-25 (b) A transitional director serves until the earlier of:
2-26 (1) the date the initial permanent directors are
2-27 elected under Section 3919.051; or
2-28 (2) September 1, 2021.

2-29 (c) If the initial permanent directors have not been elected
2-30 under Section 3919.051, and the terms of the transitional directors
2-31 have expired, the commission shall appoint successor transitional
2-32 directors as provided by Subsection (d) to serve terms that expire
2-33 the earlier of:

2-34 (1) the date initial permanent directors are elected
2-35 under Section 3919.051; or
2-36 (2) the fourth anniversary of the date the preceding
2-37 transitional directors' terms expired.

2-38 (d) If the initial permanent directors have not been elected
2-39 under Section 3919.051, the owner or owners of a majority of the
2-40 assessed value of the real property in the district according to the
2-41 most recent certified tax appraisal rolls for the county may submit
2-42 a written petition to the commission requesting that the commission
2-43 appoint successor transitional directors to serve four-year terms
2-44 beginning on the date the terms of the transitional directors then
2-45 serving expire. The commission shall appoint as the successor
2-46 transitional directors five persons named in a list of nominees
2-47 included with the petition.

2-48 (e) The initial permanent directors elected under Section
2-49 3919.051 shall draw lots to determine which two shall serve
2-50 two-year terms and which three shall serve four-year terms.

2-51 SECTION 8. Section 3919.052(c), Special District Local Laws
2-52 Code, is repealed.

2-53 SECTION 9. The terms of the members of the board of the Old
2-54 Celina Municipal Management District No. 1 serving on the effective
2-55 date of this Act who were appointed under Chapter 3919, Special
2-56 District Local Laws Code, before the effective date of this Act
2-57 expire on the effective date of this Act. On the effective date of
2-58 this Act, the board of directors of the Old Celina Municipal
2-59 Management District No. 1 is composed of the directors described by
2-60 Section 3919.061, Special District Local Laws Code, as added by
2-61 this Act.

2-62 SECTION 10. (a) The legal notice of the intention to
2-63 introduce this Act, setting forth the general substance of this
2-64 Act, has been published as provided by law, and the notice and a
2-65 copy of this Act have been furnished to all persons, agencies,
2-66 officials, or entities to which they are required to be furnished
2-67 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-68 Government Code.

2-69 (b) The governor, one of the required recipients, has

3-1 submitted the notice and Act to the Texas Commission on
3-2 Environmental Quality.

3-3 (c) The Texas Commission on Environmental Quality has filed
3-4 its recommendations relating to this Act with the governor, the
3-5 lieutenant governor, and the speaker of the house of
3-6 representatives within the required time.

3-7 (d) All requirements of the constitution and laws of this
3-8 state and the rules and procedures of the legislature with respect
3-9 to the notice, introduction, and passage of this Act are fulfilled
3-10 and accomplished.

3-11 SECTION 11. This Act takes effect September 1, 2017.

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