

1-1 By: Hinojosa S.B. No. 814  
 1-2 (In the Senate - Filed February 10, 2017; February 27, 2017,  
 1-3 read first time and referred to Committee on Intergovernmental  
 1-4 Relations; April 24, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-6 April 24, 2017, sent to 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 COMMITTEE SUBSTITUTE FOR S.B. No. 814 By: Garcia

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the board of directors of the Agua Special Utility  
 1-20 District.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 7201.052, Special District Local Laws  
 1-23 Code, is amended by amending Subsections (a), (b), (c), and (1) and  
 1-24 adding Subsection (m) to read as follows:

1-25 (a) Except as provided by Subsection (1), the district shall  
 1-26 be governed by a board of seven directors, elected as follows:

1-27 (1) one director elected by the voters of the part of  
 1-28 the City of Mission inside the district to represent that part of  
 1-29 the city;

1-30 (2) one director elected by the voters of the City of  
 1-31 Palmview to represent that city;

1-32 (3) one director elected by the voters of the City of  
 1-33 Penitas to represent that city;

1-34 (4) one director elected by the voters of the City of  
 1-35 Sullivan City to represent that city; ~~and~~

1-36 (5) one director elected by the voters of the City of  
 1-37 La Joya to represent that city; and

1-38 (6) two ~~three~~ directors elected at-large to numbered  
 1-39 positions on the board by the district voters who do not reside in  
 1-40 any of the municipalities listed in Subdivisions (1)-(5) ~~[(1)-(4)]~~  
 1-41 to represent the part of the district that is not included in those  
 1-42 municipalities, unless the number of at-large directors is  
 1-43 increased under Subsection (1).

1-44 (b) A candidate for one of the numbered director positions:

1-45 (1) must reside in the part of the service area of the  
 1-46 district that is not included in any of the municipalities listed in  
 1-47 Subsections (a)(1)-(5) ~~[(a)(1)-(4)]~~; and

1-48 (2) must be eligible to hold office under Section  
 1-49 141.001, Election Code.

1-50 (c) A candidate for one of the director positions  
 1-51 representing a municipality listed in Subsection (a)(1), (2), (3),  
 1-52 ~~or~~ (4), or (5):

1-53 (1) must reside in the municipality the candidate  
 1-54 seeks to represent; and

1-55 (2) must be eligible to hold office under Section  
 1-56 141.001, Election Code.

1-57 (1) If, before the expiration of the term of a director  
 1-58 elected to represent a municipality under Subsection (a)(1), (2),  
 1-59 (3), ~~or~~ (4), or (5), the district determines that all of the  
 1-60 incorporated territory of the municipality is outside the

2-1 boundaries of the district, the position immediately becomes an  
2-2 at-large numbered position to be filled at the next general  
2-3 election of the district in accordance with Subsections (a)(6)  
2-4 [~~(a)(5)~~] and (b).

2-5 (m) The board may not employ as an employee, as a  
2-6 consultant, or on a contract basis:

2-7 (1) an elected official of the largest public employer  
2-8 in the service area of the district; or

2-9 (2) a person related to an elected official described  
2-10 by Subdivision (1) within the third degree by consanguinity or  
2-11 affinity as determined under Chapter 573, Government Code.

2-12 SECTION 2. A person employed by the Agua Special Utility  
2-13 District on the effective date of this Act who is an elected  
2-14 official of a public employer described by Section 7201.052,  
2-15 Special District Local Laws Code, as amended by this Act, is not  
2-16 subject to that section until the date the person's term as an  
2-17 elected official expires, and the board may continue to employ the  
2-18 person until that date.

2-19 SECTION 3. (a) The position of director of the Agua  
2-20 Special Utility District elected at-large for a term that expires  
2-21 in 2018 becomes the position for the director elected from the City  
2-22 of La Joya on the election date in 2018 when the district elects new  
2-23 directors. The director of the Agua Special Utility District  
2-24 elected at-large to a term that expires in 2018 shall serve until a  
2-25 director elected from the City of La Joya has qualified following  
2-26 the director's election held in 2018.

2-27 (b) This section expires September 1, 2020.

2-28 SECTION 4. (a) The legal notice of the intention to  
2-29 introduce this Act, setting forth the general substance of this  
2-30 Act, has been published as provided by law, and the notice and a  
2-31 copy of this Act have been furnished to all persons, agencies,  
2-32 officials, or entities to which they are required to be furnished  
2-33 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2-34 Government Code.

2-35 (b) The governor, one of the required recipients, has  
2-36 submitted the notice and Act to the Texas Commission on  
2-37 Environmental Quality.

2-38 (c) The Texas Commission on Environmental Quality has filed  
2-39 its recommendations relating to this Act with the governor, the  
2-40 lieutenant governor, and the speaker of the house of  
2-41 representatives within the required time.

2-42 (d) All requirements of the constitution and laws of this  
2-43 state and the rules and procedures of the legislature with respect  
2-44 to the notice, introduction, and passage of this Act are fulfilled  
2-45 and accomplished.

2-46 SECTION 5. This Act takes effect September 1, 2017.

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