

1-1 By: Shine, Buckley, Sheffield H.B. No. 2105
1-2 (Senate Sponsor - Buckingham)
1-3 (In the Senate - Received from the House April 23, 2019;
1-4 April 24, 2019, read first time and referred to Committee on
1-5 Intergovernmental Relations; May 6, 2019, reported favorably by
1-6 the following vote: Yeas 7, Nays 0; May 6, 2019, sent to 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 territory and board of directors of the Bell County
1-19 Water Control and Improvement District No. 1.

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

1-21 SECTION 1. Section 9005.001, Special District Local Laws
1-22 Code, is amended by adding Subdivision (1-a) to read as follows:

1-23 (1-a) "Director" means a member of the board of
1-24 directors of the district.

1-25 SECTION 2. Subchapter A, Chapter 9005, Special District
1-26 Local Laws Code, is amended by adding Section 9005.0025 to read as
1-27 follows:

1-28 Sec. 9005.0025. BOARD. (a) The district is governed by a
1-29 board of seven elected directors. In addition to the elected board
1-30 members, a nonvoting member chosen by the Fort Hood Military
1-31 Reservation represents the interests of the reservation.

1-32 (b) The district shall hold an election to elect the
1-33 appropriate number of directors on the uniform election date in
1-34 November of each even-numbered year.

1-35 (c) The board shall divide the district into seven
1-36 single-member director precincts that comply with the federal
1-37 Voting Rights Act of 1965 (52 U.S.C. Sections 10101 and 10301 et
1-38 seq.) with:

1-39 (1) the precincts each containing an approximately
1-40 equal number of voters; and

1-41 (2) the population of the City of Killeen divided into
1-42 three precincts composed only of residents of the City of Killeen.

1-43 (d) The board may redraw the single-member director
1-44 precincts in a manner that is reasonable and equitable:

1-45 (1) after any change in the boundaries of the district
1-46 or of the City of Killeen; or

1-47 (2) by a resolution redrawing the director precincts
1-48 adopted by a two-thirds majority of the board based on changed
1-49 circumstances.

1-50 SECTION 3. Sections 9005.003 and 9005.004, Special District
1-51 Local Laws Code, are amended to read as follows:

1-52 Sec. 9005.003. DISTRICT TERRITORY. (a) The district is
1-53 composed of the territory described by Subsection (b) and Section
1-54 1, Chapter 523, Acts of the 54th Legislature, Regular Session, 1955
1-55 (Article 8280-189, Vernon's Texas Civil Statutes), as that
1-56 territory may have been modified under:

1-57 (1) Subchapter J, Chapter 49, Water Code;

1-58 (2) Subchapter O, Chapter 51, Water Code, before
1-59 September 1, 1995;

1-60 (3) former Section 4A, Chapter 523, Acts of the 54th
1-61 Legislature, Regular Session, 1955 (Article 8280-189, Vernon's

2-1 Texas Civil Statutes); or

2-2 (4) other law.

2-3 (b) Effective September 1, 2019, the territory of the
 2-4 district includes the following areas as those areas are legally
 2-5 described on that date:

2-6 (1) the territory inside the corporate boundaries of:

2-7 (A) the City of Harker Heights;

2-8 (B) the City of Copperas Cove;

2-9 (C) the City of Belton; and

2-10 (D) the City of Killeen;

2-11 (2) the service area of the 439 Water Supply
 2-12 Corporation;

2-13 (3) the territory of the Bell County Water Control and
 2-14 Improvement District No. 3; and

2-15 (4) the Bell County portion of the Fort Hood Military
 2-16 Reservation.

2-17 Sec. 9005.004. ANNEXATION OF TERRITORY. (a) The [If an
 2-18 election concerning the annexation of territory to the district
 2-19 would result in the district boundaries becoming coterminous with
 2-20 the boundaries of the City of Killeen, the] board[, in a separate
 2-21 proposition,] may submit for approval at an election the question
 2-22 of whether to automatically annex to [extend the boundaries of] the
 2-23 district [to include] territory later annexed by the City of
 2-24 Killeen or a political subdivision described by Section 9005.003(b)
 2-25 or to include territory added to the service area of the 439 Water
 2-26 Supply Corporation [the City of Killeen annexes] that is not
 2-27 already included in the district.

2-28 (b) An automatic annexation authorized [Land annexed by the
 2-29 City of Killeen] under Subsection (a) is effective [part of the
 2-30 district] only after:

2-31 (1) the annexed area assumes its pro rata share of all
 2-32 bonds, notes, or other obligations or taxes owed, contracted, or
 2-33 authorized by the district; and

2-34 (2) that assumption is approved by a majority of the
 2-35 voters voting at an election held in the district territory as
 2-36 enlarged as a result of the annexation.

2-37 SECTION 4. Subchapter B, Chapter 9005, Special District
 2-38 Local Laws Code, is amended by adding Section 9005.0515 to read as
 2-39 follows:

2-40 Sec. 9005.0515. LIMITATION OF DISTRICT POWER. In the
 2-41 territory of the district that coincides with the territory of the
 2-42 Bell County Water Control and Improvement District No. 3, the
 2-43 powers of the district, including the power to issue bonds and
 2-44 exercise eminent domain, are limited to the powers necessary to
 2-45 provide wholesale water service.

2-46 SECTION 5. (a) The Bell County Water Control and
 2-47 Improvement District No. 1 shall hold the first election to elect
 2-48 directors as described by Section 9005.0025, Special District Local
 2-49 Laws Code, as added by this Act, on the uniform election date in
 2-50 November 2020.

2-51 (b) The terms of the directors serving on the board of
 2-52 directors of the Bell County Water Control and Improvement District
 2-53 No. 1 on the effective date of this Act expire on the date the
 2-54 directors elected under Subsection (a) of this section have
 2-55 qualified. A director elected to a term that expires in May 2020
 2-56 serves until the director's successor has qualified after the
 2-57 November 2020 election.

2-58 (c) At the first meeting of the board of directors of the
 2-59 Bell County Water Control and Improvement District No. 1 that
 2-60 follows the election held under Subsection (a) of this section, the
 2-61 directors shall draw lots to determine which four directors serve a
 2-62 term of four years and which three directors serve a term of two
 2-63 years.

2-64 SECTION 6. (a) The legal notice of the intention to
 2-65 introduce this Act, setting forth the general substance of this
 2-66 Act, has been published as provided by law, and the notice and a
 2-67 copy of this Act have been furnished to all persons, agencies,
 2-68 officials, or entities to which they are required to be furnished
 2-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

3-1 Government Code.

3-2 (b) The governor, one of the required recipients, has
3-3 submitted the notice and Act to the Texas Commission on
3-4 Environmental Quality.

3-5 (c) The Texas Commission on Environmental Quality has filed
3-6 its recommendations relating to this Act with the governor, the
3-7 lieutenant governor, and the speaker of the house of
3-8 representatives within the required time.

3-9 (d) All requirements of the constitution and laws of this
3-10 state and the rules and procedures of the legislature with respect
3-11 to the notice, introduction, and passage of this Act are fulfilled
3-12 and accomplished.

3-13 SECTION 7. This Act takes effect September 1, 2019.

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