

1-1 By: Paul, Cain, Thompson of Brazoria H.B. No. 5409
 1-2 (Senate Sponsor - Huffman)
 1-3 (In the Senate - Received from the House May 15, 2023;
 1-4 May 15, 2023, read first time and referred to Committee on Finance;
 1-5 May 18, 2023, reported favorably by the following vote: Yeas 17,
 1-6 Nays 0; May 18, 2023, 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 | X | | | |
| 1-17 | X | | | |
| 1-18 | X | | | |
| 1-19 | X | | | |
| 1-20 | X | | | |
| 1-21 | X | | | |
| 1-22 | X | | | |
| 1-23 | X | | | |
| 1-24 | X | | | |
| 1-25 | X | | | |

1-26 A BILL TO BE ENTITLED
 1-27 AN ACT

1-28 relating to the board of directors and duties of the Gulf Coast
 1-29 Protection District.

1-30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-31 SECTION 1. Section 9502.0103(b), Special District Local
 1-32 Laws Code, is amended to read as follows:

1-33 (b) The creation of the district is necessary to establish
 1-34 an instrumentality for protecting the coast in Chambers, Galveston,
 1-35 Harris, Jefferson, and Orange Counties, and territory annexed to
 1-36 the district under Section 9502.0104(b), in the manner provided by
 1-37 this chapter.

1-38 SECTION 2. Section 9502.0201, Special District Local Laws
 1-39 Code, is amended by amending Subsections (a) and (d) and adding
 1-40 Subsection (c-1) to read as follows:

1-41 (a) The district is initially governed by a board of 11
 1-42 directors.

1-43 (c-1) If the territory of a county is annexed to the
 1-44 district under Section 9502.0104(b):

1-45 (1) the commissioners court of the county shall
 1-46 appoint one additional director; and

1-47 (2) the governor, with the advice and consent of the
 1-48 senate, shall appoint one additional director as needed to ensure
 1-49 the board has an odd number of directors.

1-50 (d) In making the appointments required by Subsections
 1-51 [Subsection] (c) and (c-1), the governor shall ensure that
 1-52 residents of a single county do not make up a majority of the
 1-53 directors.

1-54 SECTION 3. Section 9502.0202(b), Special District Local
 1-55 Laws Code, is amended to read as follows:

1-56 (b) To qualify for office, a director described by Section
 1-57 9502.0201(b), ~~or~~ (c)(1) or (2), or (c-1)(1) must be a resident of
 1-58 the county or municipality the person is appointed to represent.

1-59 SECTION 4. Section 9502.0301, Special District Local Laws
 1-60 Code, is amended by adding Subsection (e) to read as follows:

1-61 (e) If implementation of a project described by Subsection

2-1 (a) disrupts, wholly or partly, the operations of or requires the
2-2 use of property owned by a port authority, navigation district, or
2-3 drainage district the district shall:

2-4 (1) consult with the authority or district, as
2-5 applicable;

2-6 (2) consider reasonable changes in the project to
2-7 mitigate the effects of the project on the operations or property,
2-8 including changes proposed by the authority or district, as
2-9 applicable; and

2-10 (3) consider reasonable changes in the implementation
2-11 of the project requested by the authority or district, as
2-12 applicable, to mitigate the effects of the project on the
2-13 operations or property.

2-14 SECTION 5. The Gulf Coast Protection District retains all
2-15 the rights, powers, privileges, authority, duties, and functions
2-16 that it had before the effective date of this Act.

2-17 SECTION 6. (a) The legislature validates and confirms all
2-18 governmental acts and proceedings of the Gulf Coast Protection
2-19 District that were taken before the effective date of this Act.

2-20 (b) This section does not apply to any matter that on the
2-21 effective date of this Act:

2-22 (1) is involved in litigation if the litigation
2-23 ultimately results in the matter being held invalid by a final court
2-24 judgment; or

2-25 (2) has been held invalid by a final court judgment.

2-26 SECTION 7. (a) The legal notice of the intention to
2-27 introduce this Act, setting forth the general substance of this
2-28 Act, has been published as provided by law, and the notice and a
2-29 copy of this Act have been furnished to all persons, agencies,
2-30 officials, or entities to which they are required to be furnished
2-31 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-32 Government Code.

2-33 (b) The governor, one of the required recipients, has
2-34 submitted the notice and Act to the Texas Commission on
2-35 Environmental Quality.

2-36 (c) The Texas Commission on Environmental Quality has filed
2-37 its recommendations relating to this Act with the governor, the
2-38 lieutenant governor, and the speaker of the house of
2-39 representatives within the required time.

2-40 (d) All requirements of the constitution and laws of this
2-41 state and the rules and procedures of the legislature with respect
2-42 to the notice, introduction, and passage of this Act are fulfilled
2-43 and accomplished.

2-44 SECTION 8. This Act takes effect immediately if it receives
2-45 a vote of two-thirds of all the members elected to each house, as
2-46 provided by Section 39, Article III, Texas Constitution. If this
2-47 Act does not receive the vote necessary for immediate effect, this
2-48 Act takes effect September 1, 2023.

2-49 * * * * *