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Chapter 450

S.B. No. 814

AN ACT

relating to the board of directors of the Agua Special Utility District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

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

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

(5) one director elected by the voters of the part of the City of La Joya within the district to represent that part of the city; and

(6) two ~~three~~ directors elected at-large to numbered positions on the board by the district voters who do not reside in any of the municipalities listed in Subdivisions (1)-(5) ~~[(1)-(4)]~~

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1 to represent the part of the district that is not included in those  
2 municipalities, unless the number of at-large directors is  
3 increased under Subsection (1).

4 (b) A candidate for one of the numbered director positions:

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

8 (2) must be eligible to hold office under Section  
9 141.001, Election Code.

10 (c) A candidate for one of the director positions  
11 representing a municipality listed in Subsection (a)(1), (2), (3),  
12 [~~or~~] (4), or (5):

13 (1) must reside in the municipality the candidate  
14 seeks to represent; and

15 (2) must be eligible to hold office under Section  
16 141.001, Election Code.

17 (1) If, before the expiration of the term of a director  
18 elected to represent a municipality under Subsection (a)(1), (2),  
19 (3), [~~or~~] (4), or (5), the district determines that all of the  
20 incorporated territory of the municipality is outside the  
21 boundaries of the district, the position immediately becomes an  
22 at-large numbered position to be filled at the next general  
23 election of the district in accordance with Subsections (a)(6)  
24 [~~(a)(5)~~] and (b).

25 (m) If a director is an employee of another taxing entity  
26 within the district, the board may not employ as an employee, as a  
27 consultant, or on a contract basis:

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1           (1) an elected official of the other taxing entity  
2 that employs the director; or

3           (2) a person related to that elected official in the  
4 third degree of consanguinity or affinity as determined under  
5 Chapter 573, Government Code.

6           SECTION 2. (a) The position of director of the Agua  
7 Special Utility District elected at-large for a term that expires  
8 in 2018 becomes the position for the director elected from the City  
9 of La Joya on the election date in 2018 when the district elects new  
10 directors. The director of the Agua Special Utility District  
11 elected at-large to a term that expires in 2018 shall serve until a  
12 director elected from the City of La Joya has qualified following  
13 the director's election held in 2018.

14           (b) This section expires September 1, 2020.

15           SECTION 3. (a) The legal notice of the intention to  
16 introduce this Act, setting forth the general substance of this  
17 Act, has been published as provided by law, and the notice and a  
18 copy of this Act have been furnished to all persons, agencies,  
19 officials, or entities to which they are required to be furnished  
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
21 Government Code.

22           (b) The governor, one of the required recipients, has  
23 submitted the notice and Act to the Texas Commission on  
24 Environmental Quality.

25           (c) The Texas Commission on Environmental Quality has filed  
26 its recommendations relating to this Act with the governor, the  
27 lieutenant governor, and the speaker of the house of

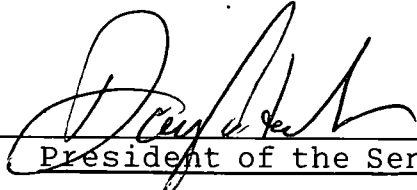
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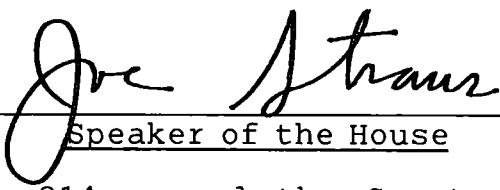
S.B. No. 814

1 representatives within the required time.

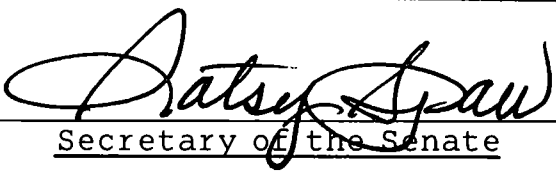
2 (d) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act are fulfilled  
5 and accomplished.

6 SECTION 4. This Act takes effect September 1, 2017. \_\_\_\_\_

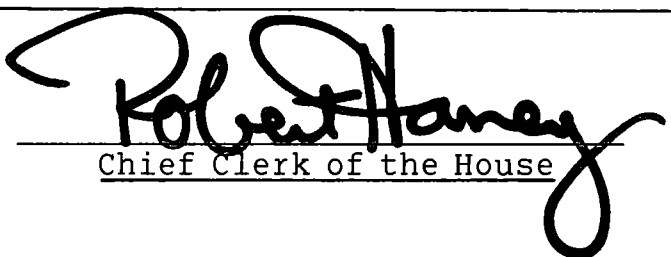
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 814 passed the Senate on  
April 27, 2017, by the following vote: Yeas 31, Nays 0; and that  
the Senate concurred in House amendment on May 27, 2017, by the  
following vote: Yeas 30, Nays 1. \_\_\_\_\_

  
\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 814 passed the House, with  
amendment, on May 24, 2017, by the following vote: Yeas 140,  
Nays 4, four present not voting. \_\_\_\_\_


  
\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

JUN 09 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 25, 2017**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB814** by Hinojosa (Relating to the board of directors of the Agua Special Utility District.), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code relating to the board of directors for the Agua Special Utility District. The bill would require one of the directors to be elected by voters of the City of La Joya within the district and two directors elected at-large.

The bill would take effect September 1, 2017.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, GG, BM, JGA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 10, 2017**

**TO:** Honorable Lyle Larson, Chair, House Committee on Natural Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB814** by Hinojosa (Relating to the board of directors of the Agua Special Utility District.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Special District Local Laws Code relating to the board of directors for the Agua Special Utility District. The bill would require one of the directors to be elected by voters of the City of La Joya within the district and two directors elected at-large.

The bill would prohibit the board from employing a director as an employee, consultant, or contractor an elected official of the largest public employer in the service area of the district or a person related to the elected official in the third degree of consanguinity or affinity.

The bill would take effect September 1, 2017.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, GG, BM, JGA

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 20, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB814** by Hinojosa ( Relating to the board of directors of the Agua Special Utility District.), **Committee Report 1st House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Special District Local Laws Code relating to the board of directors for the Agua Special Utility District. The bill would require one of the directors to be elected by voters of the City of La Joya and two directors elected at-large.

The bill would prohibit the board from employing a director as an employee, consultant, or contractor an elected official of the largest public employer in the service area of the district or a person related to the elected official in the third degree of consanguinity or affinity.

The bill would take effect September 1, 2017.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 9, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB814** by Hinojosa (Relating to the board of directors of the Agua Special Utility District.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code relating to the board of directors for the Agua Special Utility District. The bill would require one of the directors to be elected by voters of the City of La Joya and two directors elected at-large.

The bill would prohibit the board from employing a director as an employee, consultant, or contractor an elected official of the other taxing entity that employs the director or a person related to the elected official in the third degree of consanguinity or affinity.

The bill would take effect September 1, 2017.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM



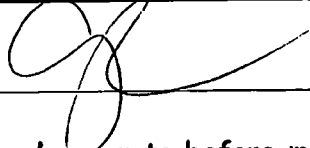
# THE MONITOR

## PUBLISHER'S AFFIDAVIT

State of Texas  
County of Hidalgo

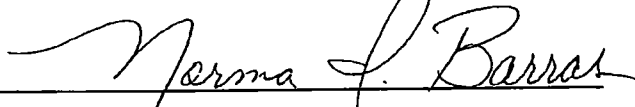
Glendora Cisneros being duly Sworn on his/her oath states that he/she is a Sales Representative of THE MONITOR and that the attached notice appeared in the following issues:

December 9, 2016



Subscribed and sworn to before me this the

9th day of December A.D. 2016



Notary Public, Hidalgo County

### NOTICE OF INTENT TO FILE A LOCAL BILL:

Pursuant to the Constitution and the laws of the State of Texas, notice is hereby given of Senator Juan Hinojosa's intention to introduce a bill in the 85th Legislature of the State of Texas at its regular session in Austin, Texas, the substance of the contemplated law being as follows:

An act relating to the powers and governing structure of AGUA Special Utility District (SUD).

All interested persons will, therefore take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and the laws of the State of Texas.

