

AN ACT

relating to the terms of temporary directors and to deadlines for elections to confirm the creation of East Montgomery County Municipal Utility Districts Nos. 8, 9, 10, 11, 12, 13, and 14, Montgomery County Municipal Utility Districts Nos. 100 and 101, and Liberty County Municipal Utility District No. 5.

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

SECTION 1. Section 8112.021, Special District Local Laws Code, is amended by amending Subsection (d) and adding Subsections (e) and (f) to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~

~~[(1)] the date the directors are elected under Section 8112.023[, or~~

~~[(2) the date this chapter expires under Section 8112.003].~~

(e) If permanent directors have not been elected under Section 8112.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8112.023; or

(2) the fourth anniversary of the date of the appointment or reappointment.

1       (f) If Subsection (e) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8       SECTION 2. Section 8113.021, Special District Local Laws  
9 Code, is amended by amending Subsection (d) and adding Subsections  
10 (e) and (f) to read as follows:

11       (d) Temporary directors serve until [~~the earlier of:~~  
12       [~~(1)~~] the date the directors are elected under Section

13 8113.023[~~, or~~

14       [~~(2)~~ the date this chapter expires under Section

15 8113.003].

16       (e) If permanent directors have not been elected under  
17 Section 8113.023 and the terms of the temporary directors have  
18 expired, successor temporary directors shall be appointed or  
19 reappointed as provided by Subsection (f) to serve terms that  
20 expire on the earlier of:

21       (1) the date permanent directors are elected under  
22 Section 8113.023; or

23       (2) the fourth anniversary of the date of the  
24 appointment or reappointment.

25       (f) If Subsection (e) applies, the owner or owners of a  
26 majority of the assessed value of the real property in the district  
27 may submit a petition to the commission requesting that the

1 commission appoint as successor temporary directors the five  
2 persons named in the petition. The commission shall appoint as  
3 successor temporary directors the five persons named in the  
4 petition.

5 SECTION 3. Section 8114.021, Special District Local Laws  
6 Code, is amended by amending Subsection (d) and adding Subsections  
7 (e) and (f) to read as follows:

8 (d) Temporary directors serve until [~~the earlier of,~~  
9 [~~(1)~~] the date the directors are elected under Section  
10 8114.023[~~, or~~  
11 [~~(2)~~ the date this chapter expires under Section  
12 8114.003].

13 (e) If permanent directors have not been elected under  
14 Section 8114.023 and the terms of the temporary directors have  
15 expired, successor temporary directors shall be appointed or  
16 reappointed as provided by Subsection (f) to serve terms that  
17 expire on the earlier of:

18 (1) the date permanent directors are elected under  
19 Section 8114.023; or

20 (2) the fourth anniversary of the date of the  
21 appointment or reappointment.

22 (f) If Subsection (e) applies, the owner or owners of a  
23 majority of the assessed value of the real property in the district  
24 may submit a petition to the commission requesting that the  
25 commission appoint as successor temporary directors the five  
26 persons named in the petition. The commission shall appoint as  
27 successor temporary directors the five persons named in the

1 petition.

2           SECTION 4. Section 8115.021, Special District Local Laws  
3 Code, is amended by amending Subsection (d) and adding Subsections  
4 (e) and (f) to read as follows:

5           (d) Temporary directors serve until ~~[the earlier of:~~  
6               ~~[(1)]~~ the date the directors are elected under Section  
7 8115.023~~[-or~~  
8               ~~[(2) the date this chapter expires under Section~~  
9 ~~8115.003]~~.

10           (e) If permanent directors have not been elected under  
11 Section 8115.023 and the terms of the temporary directors have  
12 expired, successor temporary directors shall be appointed or  
13 reappointed as provided by Subsection (f) to serve terms that  
14 expire on the earlier of:

15               (1) the date permanent directors are elected under  
16 Section 8115.023; or

17               (2) the fourth anniversary of the date of the  
18 appointment or reappointment.

19           (f) If Subsection (e) applies, the owner or owners of a  
20 majority of the assessed value of the real property in the district  
21 may submit a petition to the commission requesting that the  
22 commission appoint as successor temporary directors the five  
23 persons named in the petition. The commission shall appoint as  
24 successor temporary directors the five persons named in the  
25 petition.

26           SECTION 5. Section 8116.021, Special District Local Laws  
27 Code, is amended by amending Subsection (d) and adding Subsections

(e) and (f) to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~

~~[(1)] the date the directors are elected under Section 8116.023[~~or~~~~

~~[(2) the date this chapter expires under Section 8116.003].~~

(e) If permanent directors have not been elected under Section 8116.023 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8116.023; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(f) If Subsection (e) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SECTION 6. Section 8117.021, Special District Local Laws Code, is amended by amending Subsection (d) and adding Subsections (e) and (f) to read as follows:

(d) Temporary directors serve until ~~[the earlier of:~~

~~[(1)] the date the directors are elected under Section~~

1 8117.023[~~or~~

2 [~~(2) the date this chapter expires under Section~~  
3 ~~8117.003~~].

4 (e) If permanent directors have not been elected under  
5 Section 8117.023 and the terms of the temporary directors have  
6 expired, successor temporary directors shall be appointed or  
7 reappointed as provided by Subsection (f) to serve terms that  
8 expire on the earlier of:

9 (1) the date permanent directors are elected under  
10 Section 8117.023; or

11 (2) the fourth anniversary of the date of the  
12 appointment or reappointment.

13 (f) If Subsection (e) applies, the owner or owners of a  
14 majority of the assessed value of the real property in the district  
15 may submit a petition to the commission requesting that the  
16 commission appoint as successor temporary directors the five  
17 persons named in the petition. The commission shall appoint as  
18 successor temporary directors the five persons named in the  
19 petition.

20 SECTION 7. Section 8118.021, Special District Local Laws  
21 Code, is amended by amending Subsection (d) and adding Subsections  
22 (e) and (f) to read as follows:

23 (d) Temporary directors serve until [~~the earlier of:~~

24 [~~(1) the date the directors are elected under Section~~  
25 ~~8118.023[~~or~~~~

26 [~~(2) the date this chapter expires under Section~~  
27 ~~8118.003~~].

1       (e) If permanent directors have not been elected under  
2 Section 8118.023 and the terms of the temporary directors have  
3 expired, successor temporary directors shall be appointed or  
4 reappointed as provided by Subsection (f) to serve terms that  
5 expire on the earlier of:

6               (1) the date permanent directors are elected under  
7 Section 8118.023; or

8               (2) the fourth anniversary of the date of the  
9 appointment or reappointment.

10       (f) If Subsection (e) applies, the owner or owners of a  
11 majority of the assessed value of the real property in the district  
12 may submit a petition to the commission requesting that the  
13 commission appoint as successor temporary directors the five  
14 persons named in the petition. The commission shall appoint as  
15 successor temporary directors the five persons named in the  
16 petition.

17       SECTION 8. Section 8119.021, Special District Local Laws  
18 Code, is amended by amending Subsection (d) and adding Subsections  
19 (e) and (f) to read as follows:

20       (d) Temporary directors serve until [~~the earlier of:~~  
21               ~~[(1)] the date the directors are elected under Section~~  
22 ~~8119.023[~~or~~~~  
23               ~~[(2)] the date this chapter expires under Section~~  
24 ~~8119.003].~~

25       (e) If permanent directors have not been elected under  
26 Section 8119.023 and the terms of the temporary directors have  
27 expired, successor temporary directors shall be appointed or

1 reappointed as provided by Subsection (f) to serve terms that  
2 expire on the earlier of:

3 (1) the date permanent directors are elected under  
4 Section 8119.023; or

5 (2) the fourth anniversary of the date of the  
6 appointment or reappointment.

7 (f) If Subsection (e) applies, the owner or owners of a  
8 majority of the assessed value of the real property in the district  
9 may submit a petition to the commission requesting that the  
10 commission appoint as successor temporary directors the five  
11 persons named in the petition. The commission shall appoint as  
12 successor temporary directors the five persons named in the  
13 petition.

14 SECTION 9. Section 8120.021, Special District Local Laws  
15 Code, is amended by amending Subsection (d) and adding Subsections  
16 (e) and (f) to read as follows:

17 (d) Temporary directors serve until ~~[the earlier of:~~  
18 ~~[(1)] the date the directors are elected under Section~~  
19 ~~8120.023[~~or~~~~

20 ~~[(2) the date this chapter expires under Section~~  
21 ~~8120.003].~~

22 (e) If permanent directors have not been elected under  
23 Section 8120.023 and the terms of the temporary directors have  
24 expired, successor temporary directors shall be appointed or  
25 reappointed as provided by Subsection (f) to serve terms that  
26 expire on the earlier of:

27 (1) the date permanent directors are elected under



1 Section 8120.023; or

2 (2) the fourth anniversary of the date of the  
3 appointment or reappointment.

4 (f) If Subsection (e) applies, the owner or owners of a  
5 majority of the assessed value of the real property in the district  
6 may submit a petition to the commission requesting that the  
7 commission appoint as successor temporary directors the five  
8 persons named in the petition. The commission shall appoint as  
9 successor temporary directors the five persons named in the  
10 petition.

11 SECTION 10. Section 8185.021, Special District Local Laws  
12 Code, is amended by amending Subsection (d) and adding Subsections  
13 (e) and (f) to read as follows:

14 (d) Temporary directors serve until ~~[the earlier of:~~  
15 ~~[(1)] the date the directors are elected under Section~~  
16 ~~8185.023[~~or~~~~

17 ~~[(2) the date this chapter expires under Section~~  
18 ~~8185.003]].~~

19 (e) If permanent directors have not been elected under  
20 Section 8185.023 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (f) to serve terms that  
23 expire on the earlier of:

24 (1) the date permanent directors are elected under  
25 Section 8185.023; or

26 (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

1        (f) If Subsection (e) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8        SECTION 11. Sections 8112.003, 8112.026, 8113.003,  
9 8113.026, 8114.003, 8114.026, 8115.003, 8115.026, 8116.003,  
10 8116.026, 8117.003, 8117.026, 8118.003, 8118.026, 8119.003,  
11 8119.026, 8120.003, 8120.026, 8185.003, and 8185.026, Special  
12 District Local Laws Code, are repealed.

13        SECTION 12. (a) The legal notice of the intention to  
14 introduce this Act, setting forth the general substance of this  
15 Act, has been published as provided by law, and the notice and a  
16 copy of this Act have been furnished to all persons, agencies,  
17 officials, or entities to which they are required to be furnished  
18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
19 Government Code.

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

23        (c) The Texas Commission on Environmental Quality has filed  
24 its recommendations relating to this Act with the governor, the  
25 lieutenant governor, and the speaker of the house of  
26 representatives within the required time.

27        (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect  
2 to the notice, introduction, and passage of this Act are fulfilled  
3 and accomplished.

4       SECTION 13. This Act takes effect immediately if it  
5 receives a vote of two-thirds of all the members elected to each  
6 house, as provided by Section 39, Article III, Texas Constitution.  
7 If this Act does not receive the vote necessary for immediate  
8 effect, this Act takes effect September 1, 2009.

David Newkirk

President of the Senate

John Strawn

Speaker of the House

H.B. No. 4715

I certify that H.B. No. 4715 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4715 on May 29, 2009, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Robert Hiney

Chief Clerk of the House

I certify that H.B. No. 4715 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Aatsy Shaw

Secretary of the Senate

APPROVED:

19 JUN '09

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

2 PM O'CLOCK

JUN 19 2009

Colby Hunter III