

BILL ANALYSIS

Senate Research Center

H.B. 2688
By: Cook (Lucio)
Natural Resources
5-5-97
Engrossed

DIGEST

Currently, there is a conflict between Section 49.057 and Section 49.054, Water Code. Section 49.507 authorizes the board of directors of a water district, by resolution, to authorize its general manager or other employee to execute documents on behalf of the district. This conflicts with Section 49.054, which provides that the president of the board of directors is required to execute all documents on behalf of the district. This bill will amend Section 49.054, Water Code, to authorize the board of directors of a water district, by resolution, to authorize the general manager or other employee of the board to execute documents on behalf of the water district.

PURPOSE

As proposed, H.B. 2688 authorizes the board of directors of certain water districts, by resolution, to authorize the board's general manager or other employee of the board to execute documents on behalf of the district.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the board of directors of any district or authority created by authority of either Sections 52(b)(1) and (2), Article III, or Section 59, Article XVI, Texas Constitution, regardless of how created, in SECTION 1 (Section 49.054(c), Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49.054(c), Water Code, to provide that the president is the chief executive officer of a water district, defined as any district or authority created by authority of either Sections 52(b)(1) and (2), Article III, or Section 59, Article XVI, Texas Constitution, regardless of how created. Requires the president to execute all documents on behalf of the district unless the board, by resolution, authorizes the general manager or other employee of the district to execute a document or documents on behalf of the district. Authorizes the secretary to attest the president's signature on documents.

SECTION 2. Emergency clause.
Effective date: upon passage.