

## **BILL ANALYSIS**

Senate Research Center  
85R1585 AAF-F

H.B. 2064  
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Intergovernmental Relations  
5/9/2017  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The codification of the enabling legislation for the Irving Flood Control District (IFCD) Section III of Dallas County was silent regarding what constitutes a quorum of the district's board of directors. Prior to becoming its own entity under law, IFCD Section III was originally a part of Irving Flood Control District Section I. IFCD Section I has a seven-member board of directors and a quorum requirement of four members. The four-member quorum requirement that exists for IFCD Section III, which only has a five-member board of directors, is an inconsistent carryover from the quorum requirement for IFCD Section I. H.B. 2064 seeks to address this issue.

H.B.2064 amends the Special District Local Laws Code to establish that a quorum of the board of directors of the IFCD Section III of Dallas County consists of three directors. The bill makes the validity of an action or recommendation of the board requiring a board vote contingent on the action or recommendation being approved by a record vote taken at a meeting of the board with a quorum present and receiving at least three affirmative votes by board members. The bill provides for the validation, ratification, and confirmation of certain district actions and proceedings taken before the bill's effective date.

H.B. 2064 amends current law relating to quorum and voting requirements for the transaction of business by the board of the Irving Flood Control District Section III of Dallas County.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 7805, Special District Local Laws Code, by adding Section 7805.054, as follows:

Sec. 7805.054. QUORUM; VOTE REQUIRED. Provides that a quorum consists of three directors. Provides that an action or recommendation of the board of directors of the Irving Flood Control District Section III of Dallas County (board; district) is not valid unless the action or recommendation is approved by a record vote taken at a meeting of the board with a quorum present and the action or recommendation receives at least three affirmative votes by board members.

SECTION 2. (a) Provides that all governmental and proprietary actions and proceedings of the district taken before the effective date of this Act are validated, ratified, and confirmed in all respects as of the dates on which they occurred.

(b) Provides that this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or has been held invalid by a final court judgment.

SECTION 3. Effective date: upon passage or September 1, 2017.

