

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Special District Local
Laws Code
Chapter 5016
1/15/19

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2 TEXAS
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18 CHAPTER 5016. PORT OF CORPUS CHRISTI AUTHORITY OF NUECES COUNTY,
19 TEXAS
20 SUBCHAPTER A. GENERAL PROVISIONS

21 Revised Law
22 Sec. 5016.0001. DEFINITIONS. In this chapter:
23 (1) "Adjacent property" means the approximately 433
24 acres that the authority owns in San Patricio County that is bounded
25 on the east by the western boundary of the former Naval Station
26 Ingleside, on the north by Farm-to-Market Road 1069, on the west by

1 the corporate limits of the City of Ingleside on the Bay, and on the
2 south by the corporate limits of the City of Ingleside on the Bay
3 and the north shoreline of Corpus Christi Bay. The term does not
4 include property:

5 (A) that the authority purchased from this state
6 under former Article 8225, Revised Statutes; or

7 (B) that was granted to the authority by this
8 state under any general or special law.

9 (2) "Authority" means the Port of Corpus Christi
10 Authority of Nueces County, Texas.

11 (3) "Naval property" means:

12 (A) the approximately 576.615 acres of land and
13 submerged land in San Patricio and Nueces Counties, improvements,
14 and personal property, if any, that reverted to the authority when
15 former Naval Station Ingleside closed, other than property that the
16 authority purchased from this state under former Article 8225,
17 Revised Statutes, or that was granted to the authority by this state
18 under any general or special law; and

19 (B) the adjacent property.

20 (4) "Port commission" means the authority's governing
21 body.

22 (5) "Port commissioner" means a member of the port
23 commission. (Acts 67th Leg., R.S., Ch. 165, Sec. 2; Acts 68th Leg.,
24 R.S., Ch. 397, Secs. 1, 1A as added Acts 81st Leg., R.S., Ch. 53.)

25 Source Law

26 [Acts 67th Leg., R.S., Ch. 165]

27 Sec. 2. The name of the board of navigation and
28 canal commissioners of the authority is changed to the
29 port commission and the title of each member is port
30 commissioner.

31 [Acts 68th Leg., R.S., Ch. 397]

32 Sec. 1. In this Act:

33 (1) "Adjacent property" means the
34 approximately 433 acres that the authority owns in San
35 Patricio County that is bounded on the east by the
36 western boundary of Naval Station Ingleside, on the
37 north by Farm-to-Market Road 1069, on the west by the
38 city limits of the City of Ingleside on the Bay, and on
39 the south by the city limits of the City of Ingleside
40 on the Bay and the north shoreline of Corpus Christi
41 Bay. The term does not include property that the

1 authority purchased from this state under Article
2 8225, Revised Statutes, or that was granted to the
3 authority by this state under any general or special
4 Act.

5 (2) "Authority" means the Port of Corpus
6 Christi Authority of Nueces County, Texas.

7 (3) "Naval property" means:

8 (A) the approximately 576.615 acres
9 of land and submerged land in San Patricio and Nueces
10 Counties, improvements, and personal property, if any,
11 that revert to the authority when Naval Station
12 Ingleside closes, other than property that the
13 authority purchased from this state under Article
14 8225, Revised Statutes, or that was granted to the
15 authority by this state under any general or special
16 Act; and

17 (B) the adjacent property.

18 (4) "Port commission" means the governing
19 body of the authority.

20 Sec. 1A. In this Act:

21 (1) "Authority" means the Port of Corpus
22 Christi Authority of Nueces County, Texas.

23 (2) "Port commission" means the governing
24 body of the Port of Corpus Christi Authority of Nueces
25 County, Texas.

26 (3) "Port commissioner" means a member of
27 the port commission.

28 Revisor's Note

29 (1) Sections 1(1) and (3), Chapter 397, Acts of
30 the 68th Legislature, Regular Session, 1983, refer to
31 "Naval Station Ingleside." Because Naval Station
32 Ingleside closed on April 30, 2010, the revised law
33 adds "former" to references to "Naval Station
34 Ingleside."

35 (2) Sections 1(1) and (3), Chapter 397, Acts of
36 the 68th Legislature, Regular Session, 1983, refer to
37 property purchased by the authority under "Article
38 8225, Revised Statutes." The revised law retains the
39 reference to Article 8225, Revised Statutes, because
40 that was the law in effect at the time the authority
41 purchased the property but adds "former" to the
42 references to that article because it was codified in
43 1971 as Sections 61.115, 61.116, and 61.117, Water
44 Code.

45 Revised Law

46 Sec. 5016.0002. FORMER NAME OF AUTHORITY. Before May 20,
47 1981, the authority was known as the Nueces County Navigation

1 District No. 1. (Acts 67th Leg., R.S., Ch. 165, Sec. 1; New.)

2 Source Law

3 Sec. 1. The name of Nueces County Navigation
4 District No. 1 is changed to the Port of Corpus Christi
5 Authority of Nueces County, Texas.

6 Revisor's Note

7 Section 1, Chapter 165, Acts of the 67th
8 Legislature, Regular Session, 1981, which took effect
9 on May 20, 1981, renamed the Nueces County Navigation
10 District No. 1 as the Port of Corpus Christi Authority
11 of Nueces County, Texas. The revised law retains the
12 reference to the authority's former name to clarify a
13 reference to the former name in another law and adds a
14 reference to the effective date for the reader's
15 convenience.

16 SUBCHAPTER B. PORT COMMISSION

17 Revised Law

18 Sec. 5016.0051. COMPOSITION OF PORT COMMISSION. The port
19 commission is composed of seven port commissioners. (Acts 68th
20 Leg., R.S., Ch. 397, Sec. 1A as added Acts 81st Leg., R.S., Ch. 498;
21 Acts 78th Leg., R.S., Ch. 1334, Sec. 3 (part).)

22 Source Law

23 [Acts 68th Leg., R.S., Ch. 397]
24 Sec. 1A. The port commission is composed of
25 seven members.

26 [Acts 78th Leg., R.S., Ch. 1334]
27 Sec. 3. [If the annexation of San Patricio
28 County is approved at an election held under Section 2
29 of this Act:]
30 (1) the port commission is composed of
31 seven members;
32 . . .

33 Revised Law

34 Sec. 5016.0052. APPOINTMENT OF PORT COMMISSIONERS; TERMS;
35 ELIGIBILITY. (a) Port commissioners are appointed as follows:
36 (1) the Commissioners Court of Nueces County shall
37 appoint three port commissioners;
38 (2) the city council of the City of Corpus Christi
39 shall appoint three port commissioners; and

1 (3) the Commissioners Court of San Patricio County
2 shall appoint one port commissioner.

3 (b) Port commissioners serve staggered three-year terms,
4 with the terms of two or three port commissioners expiring in
5 January of each year.

6 (c) A port commissioner may not serve more than four full
7 terms.

8 (d) A person must have been a resident of Nueces County for
9 at least six months to be eligible for appointment to the port
10 commission by the Commissioners Court of Nueces County or the city
11 council of the City of Corpus Christi.

12 (e) Subsections (c) and (d) do not apply to a person serving
13 as a port commissioner on June 9, 1995. (Acts 68th Leg., R.S., Ch.
14 397, Secs. 2, 3, 4(c), (d); Acts 74th Leg., R.S., Ch. 469, Sec. 2;
15 Acts 78th Leg., R.S., Ch. 1334, Sec. 3 (part).)

16 Source Law

17 [Acts 68th Leg., R.S., Ch. 397]

18 Sec. 2. (a) The Commissioners Court of Nueces
19 County shall appoint four members to the port
20 commission, and the City Council of Corpus Christi
21 shall appoint three members to the port commission.

22 (b) A person must have been a resident of Nueces
23 County for at least six months to be eligible for
24 appointment to the port commission.

25 Sec. 3. (a) The port commissioners shall serve
26 staggered three-year terms.

27 (b) A person may not serve more than four full
28 terms as port commissioner.

29 [Sec. 4]

30 (c) In making its initial appointments to the
31 port commission, the Commissioners Court of Nueces
32 County shall appoint:

33 (1) one port commissioner to a term that
34 expires in January, 1986;

35 (2) one port commissioner to a term that
36 expires in January, 1987; and

37 (3) two port commissioners to terms that
38 expire in January, 1988.

39 (d) In making its initial appointments to the
40 port commission, the City Council of Corpus Christi
41 shall appoint:

42 (1) one port commissioner to a term that
43 expires in January, 1986;

44 (2) one port commissioner to a term that
45 expires in January, 1987; and

46 (3) one port commissioner to a term that
47 expires in January, 1988.

48 [Acts 74th Leg., R.S., Ch. 469]

49 Sec. 2. The change in law made by this Act does

1 not affect the eligibility of a person who, on the
2 effective date of this Act, is a member of the port
3 commission of the Port of Corpus Christi Authority of
4 Nueces County.

5 [Acts 78th Leg., R.S., Ch. 1334]

6 Sec. 3. [If the annexation of San Patricio
7 County is approved at an election held under Section 2
8 of this Act:]

9 . . .
10 (2) notwithstanding Section 2, Chapter
11 397, Acts of the 68th Legislature, Regular Session,
12 1983:

13 (A) the Commissioners Court of Nueces
14 County shall appoint three members to the port
15 commission;

16 (B) the City Council of Corpus
17 Christi shall appoint three members to the port
18 commission; and

19 (C) the Commissioners Court of San
20 Patricio County shall appoint one member to the port
21 commission;

22 . . .

23 Revisor's Note

24 (1) Section 2, Chapter 397, Acts of the 68th
25 Legislature, Regular Session, 1983, provides the
26 manner of appointment of and eligibility requirements
27 for port commissioners. Section 3, Chapter 1334, Acts
28 of the 78th Legislature, Regular Session, 2003,
29 provides that if the annexation of San Patricio County
30 is approved at a confirmation election, Section 3
31 governs the appointment of port commissioners. The
32 revised law omits the provisions of Section 2 of
33 Chapter 397 that relate to the appointment of port
34 commissioners as superseded by Section 3 of Chapter
35 1334 because the annexation of San Patricio County was
36 approved at a confirmation election and the authority
37 has annexed San Patricio County, as stated in Revisor's
38 Note (2) at the end of this chapter. The revised law
39 adds "by the Commissioners Court of Nueces County or
40 the city council of the City of Corpus Christi" to the
41 provision requiring a person to have been a resident of
42 Nueces County for at least six months to be eligible
43 for appointment to the port commission in order to
44 clarify that the residency requirement applies only to

1 persons appointed to the port commission by the
2 Commissioners Court of Nueces County or the city
3 council of Corpus Christi and not to persons appointed
4 by the Commissioners Court of San Patricio County.

5 (2) Sections 4(c) and (d), Chapter 397, Acts of
6 the 68th Legislature, Regular Session, 1983, prescribe
7 the procedure for staggering the terms of the port
8 commissioners first appointed under that act. The
9 revised law revises the establishment of staggered
10 terms expiring in January of each year but omits the
11 provisions relating to the date the initial terms
12 expire as executed.

13 (3) Section 2, Chapter 469, Acts of the 74th
14 Legislature, Regular Session, 1995, provides that the
15 changes in law made by Chapter 469 do not affect the
16 eligibility of a person serving as a port commissioner
17 on "the effective date of this Act." Chapter 469 added
18 a residency requirement for service on the port
19 commission and imposed term limits on port
20 commissioners. The revised law substitutes "June 9,
21 1995" for the quoted language because that is the date
22 on which Chapter 469 took effect.

23 (4) Section 3, Chapter 1334, Acts of the 78th
24 Legislature, Regular Session, 2003, provides for the
25 appointment of port commissioners "notwithstanding
26 Section 2, Chapter 397, Acts of the 68th Legislature,
27 Regular Session, 1983." The revised law omits the
28 quoted language as unnecessary because the provisions
29 of Section 2 of Chapter 397 that relate to the
30 appointment of port commissioners are omitted from the
31 revised law for the reason stated in Revisor's Note (1)
32 to this section.

33 Revised Law

34 Sec. 5016.0053. FILING OF FINANCIAL STATEMENT BY PORT

1 COMMISSIONERS. (a) Not later than April 30 of each year, a port
2 commissioner shall file with the Texas Ethics Commission a
3 financial statement that complies with Sections 572.022-572.024,
4 Government Code.

5 (b) The filed statement is a public record. (Acts 68th
6 Leg., R.S., Ch. 397, Sec. 4A.)

7 Source Law

8 Sec. 4A. Not later than April 30 each year, a
9 port commissioner shall file with the Texas Ethics
10 Commission a financial statement that complies with
11 Sections 572.022-572.024, Government Code. A
12 statement filed under this section is a public record.

13 Revisor's Note
14 (End of Subchapter)

15 Sections 4(a), (b), and (e), Chapter 397, Acts of
16 the 68th Legislature, Regular Session, 1983, require
17 port commissioners serving on the effective date of
18 Chapter 397 to serve until their terms expire in
19 January 1985, provide for the appointment of the port
20 commissioners initially appointed under Section 4, and
21 provide for the appointment and terms of the
22 successors to those initial appointees. The revised
23 law omits those provisions as executed. The omitted
24 law reads:

25 Sec. 4. (a) The persons serving as
26 port commissioners on the effective date of
27 this Act remain in office and shall continue
28 to have the powers and perform the duties of
29 port commissioners until the expiration of
30 their terms in January, 1985.

31 (b) On the expiration of the terms of
32 the port commissioners serving on the
33 effective date of this Act, seven persons
34 must be appointed as provided by Section 2
35 of this Act to serve as the port
36 commissioners for the Port of Corpus
37 Christi Authority of Nueces County, Texas.

38 (e) Successors to the initial
39 appointees shall be appointed and shall
40 serve for three-year terms.

41 SUBCHAPTER C. POWERS AND DUTIES

42 Revised Law

43 Sec. 5016.0101. USE AND DISPOSITION OF NAVAL PROPERTY. (a)

1 The authority may use naval property in ways that replace and
2 enhance the economic benefits generated by the former Naval Station
3 Ingleside through diversified activities, including uses to
4 foster:

- 5 (1) job creation and retention;
- 6 (2) economic development;
- 7 (3) industry;
- 8 (4) commerce;
- 9 (5) manufacturing;
- 10 (6) housing;
- 11 (7) recreation; and
- 12 (8) infrastructure installation on naval property.

13 (b) The port commission may:

- 14 (1) declare any portion of naval property surplus if
15 the property is not needed for a navigation-related project; and
- 16 (2) sell or lease the surplus property on terms the
17 port commission considers advisable to carry out the purposes of
18 this chapter.

19 (c) Notwithstanding any other law and subject to the terms
20 of this subsection, the authority may sell or lease property
21 declared surplus under this section with or without public bidding.
22 The authority may not sell naval property declared surplus under
23 this section in a private sale for less than the property's fair
24 market value. The authority shall obtain an appraisal of the
25 surplus property, which is conclusive evidence of the surplus
26 property's fair market value.

27 (d) The authority may contract with another person for
28 assistance in accomplishing the purposes of this section by
29 competitive bidding or negotiated contract as the port commission
30 considers appropriate, desirable, and in the authority's best
31 interests. (Acts 68th Leg., R.S., Ch. 397, Secs. 4B(a), (b), (c),
32 (d) as added Acts 81st Leg., R.S., Ch. 498.)

33 Source Law

34 Sec. 4B. (a) The authority may use the naval

1 property in ways that replace and enhance the economic
2 benefits generated by Naval Station Ingleside through
3 diversified activities, including uses to foster:

4 (1) the creation and retention of new
5 jobs;

6 (2) economic development;

7 (3) industry;

8 (4) commerce;

9 (5) manufacturing;

10 (6) housing;

11 (7) recreation; and

12 (8) the installation of infrastructure on
13 the naval property.

14 (b) The authority may contract with another
15 person for assistance in accomplishing the purposes of
16 this section by competitive bidding or negotiated
17 contract as the port commission considers appropriate,
18 desirable, and in the best interests of the authority.

19 (c) The port commission may declare any portion
20 of the naval property not needed for a
21 navigation-related project surplus property and may
22 sell or lease the surplus property on terms the port
23 commission considers advisable to carry out the
24 purposes of this Act.

25 (d) Notwithstanding any other law, and subject
26 to the terms of this subsection, the authority may sell
27 or lease property declared surplus under this section
28 with or without public bidding. Naval property
29 declared surplus under this section may not be sold in
30 a private sale for less than its fair market value.
31 The authority shall obtain an appraisal of the surplus
32 property, and the appraisal is conclusive evidence of
33 the surplus property's fair market value.

34 Revisor's Note

35 (1) Section 4B(a), Chapter 397, Acts of the 68th
36 Legislature, Regular Session, 1983, as added by
37 Chapter 498, Acts of the 81st Legislature, Regular
38 Session, 2009, refers to "Naval Station Ingleside."
39 The revised law adds "former" to that reference for the
40 reason stated in Revisor's Note (1) to Section
41 5016.0001.

42 (2) Section 4B(e), Chapter 397, Acts of the 68th
43 Legislature, Regular Session, 1983, as added by
44 Chapter 498, Acts of the 81st Legislature, Regular
45 Session, 2009, provides that Section 4B is cumulative
46 of and in addition to other law applicable to or
47 affecting the authority. The revised law omits the
48 provision as unnecessary because an accepted general
49 principle of statutory construction requires that a
50 statute be given cumulative effect with other statutes

1 unless the statute provides otherwise or unless the
2 statute conflicts with another statute. In addition,
3 Section 4B(e) provides that Section 4B "does not limit
4 the power of the authority to use other law not in
5 conflict with" the act. The revised law omits the
6 provision as unnecessary because it is an accepted
7 general principle of statutory construction that a
8 grant of power does not act as a limitation. The
9 omitted law reads:

10 (e) This section is cumulative of and
11 in addition to other law applicable to or
12 affecting the authority. This section does
13 not limit the power of the authority to use
14 other law not in conflict with this Act to
15 the extent necessary or convenient to carry
16 out a power expressly or impliedly granted
17 by this section.

18 Revised Law

19 Sec. 5016.0102. ELECTIONS. An election relating to the
20 authority must be held in the authority as a whole and not on a
21 county-by-county basis. (Acts 68th Leg., R.S., Ch. 397, Sec. 4B as
22 added Acts 81st Leg., R.S., Ch. 53; Acts 78th Leg., R.S., Ch. 1334,
23 Sec. 4.)

24 Source Law

25 [Acts 68th Leg., R.S., Ch. 397]

26 Sec. 4B. An election relating to the authority
27 shall be held in the authority as a whole, and not on a
28 county-by-county basis.

29 [Acts 78th Leg., R.S., Ch. 1334]

30 Sec. 4. If the annexation of San Patricio County
31 is approved at an election held under Section 2 of this
32 Act, any subsequent election relating to the authority
33 shall be held in the authority as a whole, and not on a
34 county-by-county basis.

35 Revisor's Note

36 Section 4, Chapter 1334, Acts of the 78th
37 Legislature, Regular Session, 2003, provides the
38 manner of holding authority elections "[i]f the
39 annexation of San Patricio County is approved at an
40 election held under Section 2 of this Act." Section 4
41 also refers to "subsequent" elections to distinguish

1 between the initial confirmation election held under
2 Section 2 of Chapter 1334 and any subsequent election
3 held in the authority. Because the revised law omits
4 Section 2 of Chapter 1334 as executed (see Revisor's
5 Note (2) at the end of this chapter), the revised law
6 also omits the quoted provisions as unnecessary.

7 Revised Law

8 Sec. 5016.0103. SECURITY AND LAW ENFORCEMENT. (a) The port
9 commission may adopt, amend, repeal, and enforce an ordinance,
10 rule, or police regulation necessary to:

11 (1) protect, secure, and defend the ship channels and
12 waterways in the authority's jurisdiction and facilities served by
13 those ship channels and waterways;

14 (2) promote the health, safety, and general welfare of
15 any person using the ship channels and waterways in the authority's
16 jurisdiction; or

17 (3) comply with a federal law or regulation or
18 implement a directive or standard of the federal government,
19 including the United States Department of Homeland Security and the
20 United States Coast Guard, relating to securing ship channels and
21 waterways and facilities served by ship channels and waterways and
22 preventing terrorist attacks on ship channels, waterways,
23 associated maritime facilities, and other facilities served by ship
24 channels and waterways.

25 (b) In the enforcement of an authority ordinance, rule, or
26 police regulation, a sheriff, constable, or other licensed peace
27 officer or a peace officer employed or appointed by the port
28 commission may make arrests, serve criminal warrants, subpoenas, or
29 writs, and perform any other service or duty that may be performed
30 by any sheriff, constable, or other licensed peace officer in
31 enforcing other laws of this state.

32 (c) In adopting an ordinance, rule, or police regulation
33 under Subsection (a) of this section, the port commission shall
34 comply with the procedures provided by Sections 60.074 and 60.075,

1 Water Code. (Acts 68th Leg., R.S., Ch. 397, Secs. 4C(a), (b), (c).)

2 Source Law

3 Sec. 4C. (a) The port commission may adopt,
4 amend, repeal, and enforce an ordinance, rule, or
5 police regulation necessary to:

6 (1) protect, secure, and defend the ship
7 channels and waterways in the jurisdiction of the
8 authority and facilities served by those ship channels
9 and waterways;

10 (2) promote the health, safety, and
11 general welfare of any person using the ship channels
12 and waterways in the jurisdiction of the authority; or

13 (3) comply with a federal law or
14 regulation or implement a directive or standard of the
15 federal government, including the United States
16 Department of Homeland Security and the United States
17 Coast Guard, relating to securing ship channels and
18 waterways and facilities served by ship channels and
19 waterways and preventing terrorist attacks on ship
20 channels, waterways, associated maritime facilities,
21 and other facilities served by ship channels and
22 waterways.

23 (b) In the enforcement of an authority
24 ordinance, rule, or police regulation, a sheriff,
25 constable, or other duly constituted peace officer of
26 this state or a peace officer employed or appointed by
27 the port commission may make arrests, serve criminal
28 warrants, subpoenas, or writs, and perform any other
29 service or duty that may be performed by any sheriff,
30 constable, or other duly constituted peace officer of
31 this state in enforcing other laws of this state.

32 (c) In adopting an ordinance, rule, or police
33 regulation under Subsection (a) of this section, the
34 port commission shall comply with the procedures
35 provided by Sections 60.074 and 60.075, Water Code.

36 Revisor's Note

37 Section 4C(b), Chapter 397, Acts of the 68th
38 Legislature, Regular Session, 1983, refers to a "duly
39 constituted peace officer." The revised law
40 substitutes "licensed" for "duly constituted" to
41 conform to the terminology used in Subchapter G,
42 Chapter 1701, Occupations Code, which regulates the
43 licensing of peace officers.

44 Revised Law

45 Sec. 5016.0104. CONTRACTS FOR SECURITY AND LAW ENFORCEMENT
46 SERVICES. (a) The authority may enter into an interlocal agreement
47 with this state or a county, municipality, or other political
48 subdivision of this state to jointly provide, and share the costs
49 of, security for the ship channels and waterways in the authority's
50 jurisdiction.

1 (b) To protect the public interest, the authority may
2 contract with a qualified party, including the federal government,
3 Nueces County, or San Patricio County, for the provision of law
4 enforcement services in all or part of the authority's
5 jurisdiction. (Acts 68th Leg., R.S., Ch. 397, Secs. 4C(d), (e).)

6 Source Law

7 (d) The authority may enter into an interlocal
8 agreement with this state or a county, municipality,
9 or other political subdivision of this state to
10 jointly provide, and share the costs of, security for
11 the ship channels and waterways in the jurisdiction of
12 the authority.

13 (e) To protect the public interest, the
14 authority may contract with a qualified party,
15 including the federal government, Nueces County, or
16 San Patricio County, for the provision of law
17 enforcement services in all or part of the
18 jurisdiction of the authority.

19 Revisor's Note
20 (End of Chapter)

21 (1) Section 5, Chapter 397, Acts of the 68th
22 Legislature, Regular Session, 1983, provides that the
23 act is severable. The revised law omits that provision
24 because the same result is produced by application of
25 Section 311.032, Government Code (Code Construction
26 Act), which provides that a provision of a statute is
27 severable from each other provision of the statute
28 that can be given effect. The omitted law reads:

29 Sec. 5. If a provision of this Act or
30 its application to any person or
31 circumstance is held invalid, the
32 invalidity does not affect other provisions
33 or applications of this Act that can be
34 given effect without the invalid provision
35 or application, and to this end, the
36 provisions of this Act are declared to be
37 severable.

38 (2) Sections 1, 2, and 3, Chapter 1334, Acts of
39 the 78th Legislature, Regular Session, 2003, provide
40 provisions relating to the annexation of San Patricio
41 County to the authority. Section 1 defines certain
42 terms for purposes of Chapter 1334. Section 2 requires
43 the holding of an election on the question of
44 annexation of San Patricio County and prescribes

1 certain actions to be taken in the event the vote is in
2 favor of or against annexation. Section 3 provides
3 transition provisions relating to the terms of office
4 of the port commissioners serving at the time of the
5 election and immediately following the election.
6 Because the election confirming the annexation of San
7 Patricio County has been held and the county has been
8 annexed to the authority, the revised law omits the
9 provisions as executed. The omitted law reads:

10 Sec. 1. In this Act:

11 (1) "Authority" means the Port
12 of Corpus Christi Authority of Nueces
13 County, Texas.

14 (2) "Commissioners court" means
15 the Commissioners Court of San Patricio
16 County.

17 (3) "Port commission" means the
18 port commission of the Port of Corpus
19 Christi Authority of Nueces County, Texas.

20 Sec. 2. (a) On a uniform election
21 date in 2003, the commissioners court shall
22 call and hold an election in San Patricio
23 County to allow for voting for or against
24 the proposition: "Annexation of San
25 Patricio County to the Port of Corpus
26 Christi Authority of Nueces County, Texas."

27 (b) The commissioners court shall
28 conduct the election as provided by
29 Sections 62.296 and 62.298, Water Code,
30 performing all the duties of the commission
31 of the annexing district provided by those
32 sections.

33 (c) The commissioners court shall
34 canvass the returns of the election and
35 certify the election result to the port
36 commission.

37 (d) If a majority of the voters
38 voting at the election favor the annexation
39 of San Patricio County, the port commission
40 shall enter and have recorded an order of
41 annexation as provided by Sections
42 62.299(c) and (d), Water Code.

43 (e) If the annexation of San Patricio
44 County is not approved at the election held
45 under Subsection (a) of this section,
46 another confirmation election may be held
47 not sooner than five years after the date of
48 the first confirmation election.
49 Confirmation elections may be held every
50 five years until the annexation of San
51 Patricio County is approved.

52 (f) Except as provided by this
53 section, a confirmation election must be
54 conducted as provided by the Election Code.

55 Sec. 3. If the annexation of San
56 Patricio County is approved at an election
57 held under Section 2 of this Act:

58 . . .

1 (3) the commissioners serving
2 at the time the annexation of San Patricio
3 County is approved continue to serve,
4 unless otherwise removed as provided by
5 law, until the expiration of their terms;
6 and

7 (4) following the annexation of
8 San Patricio County, the Commissioners
9 Court of San Patricio County shall appoint
10 one member to the port commission to fill
11 the first vacancy created by the expiration
12 of the term of a commissioner appointed by
13 the Commissioners Court of Nueces County.