

TRINITY GLEN ROSE GROUNDWATER DISTRICT

A RESOLUTION OF THE BOARD OF DIRECTORS SUSPENDING SECTIONS 41.0052(A) OF THE TEXAS ELECTION CODE TO THE EXTENT NECESSARY TO MOVE THE DIRECTORS ELECTION TUESDAY, NOVEMBER 3, 2020; PROVIDING THAT THE TERMS OF OFFICE NOT BE ADJUSTED; PROVIDING SPECIFIC AUTHORITIES, INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE

WHEREAS, Section 36.059 the Texas Water Code and State Law provide that an election shall be held every even-numbered year for the election of directors whose term is expiring; and

WHEREAS, Section 41.001(a) (2) of the Texas Election Code provides that a general or special election shall be held on a uniform election date; and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel Coronavirus (COVID-19) poses an imminent threat of disaster and, declared a state of disaster for all counties in Texas; and

WHEREAS, on March 18, 2020, the Governor signed a Proclamation, attached as Exhibit A, suspending Sections 41.0052(a) of the Texas Election Code to the extent necessary to allow political subdivisions to move their election that would otherwise be held on Saturday, May 2, 2020 to the next uniform election date occurring on Tuesday, November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT:

SECTION ONE. ORDER OF POSTPONEMENT. The election scheduled to be held on Saturday, May 2, 2020 for the purpose of electing a director to represent Precinct 2 is hereby ordered to be postponed to the next uniform election date occurring on Tuesday, November 3, 2020.

SECTION TWO. PROCLAMATION. The Proclamation signed by the Governor of Texas, authorizes the District to suspend certain provisions of the Texas Election Code and postpone the Saturday, May 2, 2020 election to the next uniform election date occurring on Tuesday, November 3, 2020.

SECTION THREE. FILING. Candidate filings for the Saturday, May 2, 2020 election will remain valid for the next uniform election date occurring on Tuesday, November 3, 2020. The filing period will not re-open for the November 2020 election date.

SECTION FOUR. HOLDOVERS IN PUBLIC OFFICE. Under Article XVI, Sec. 17 of the **Texas Constitution**, the individuals who currently hold public office that are scheduled to be on the ballot on the May 2020 uniform election date will continue to exercise the duties of those offices until the new officers take their oaths of office, following the November 2020 election date.

SECTION FIVE. The District shall provide notification of the postponement of their Saturday, May 2, 2020 general election to the next uniform election date occurring on Tuesday, November 3, 2020. Notification will be posted and distributed as may be required by law.

SECTION SIX. SEVERABILITY. Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this Ordinance be held unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this Ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION SEVEN. RATIFICATION. The actions taken by the Manager suspending the election prior to the formal adoption of this Resolution is approved and ratified for all purposes.

EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption.

ADOPTED this 16 day April, 2020.

BY:

Joe duMenil, President
Board of Directors

ATTEST:

Abigail Bush, Secretary
Board of Directors

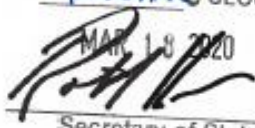
EXHIBIT A



GOVERNOR GREG ABBOTT

March 18, 2020

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00 AM 'CLOCK
MAR 18 2020

Secretary of State

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/psl

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, Section 41.001(a)(2) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on May 2, 2020; and

WHEREAS, Section 49.103 of the Texas Water Code provides that certain districts governed by this provision are required to hold director elections in May of each even-numbered year; and

WHEREAS, Section 41.0052 of the Texas Election Code prescribes a procedure for a political subdivision to change a general election date, but the time for making such a change has expired; and

WHEREAS, Section 31.093 of the Texas Election Code requires a county elections administrator to enter into a contract to furnish election services upon request of a political subdivision; and

WHEREAS, Section 42.0621(c) of the Texas Election Code does not require a political subdivision to enter into a contract with a county or hold a joint election with a county on the November uniform election date; and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster.

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Laws of the State of Texas, do hereby suspend Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office. I further suspend Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.

The authority ordering the election under Section 3.004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with this proclamation.

Current office holders will hold over to the extent authorized by Article XVI, Section 17 of the Texas Constitution.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00AM O'CLOCK

MAR 18 2020



IN TESTIMONY WHEREOF, I
have hereto signed my name and
have officially caused the Seal of
State to be affixed at my office in the
City of Austin, Texas, this the 18th
day of March, 2020.



GREG ABBOTT
Governor of Texas

ATTESTED BY:



RUTH R. HUGHES
Secretary of State