

BILL ANALYSIS

H.B. 1921
By: Flynn
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Upper Colorado River Authority is subject to review under the Texas Sunset Act. H.B. 1921 seeks to revise and update the authority's enabling legislation and includes statutory modifications recommended by the Sunset Advisory Commission.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1921 amends the Special District Local Laws Code to expand the Upper Colorado River Authority's territory to include Concho, Crockett, Glasscock, Irion, Menard, Mitchell, Nolan, Reagan, Runnels, Schleicher, Sterling, and Taylor Counties and to revise the composition of the authority's board of directors. The bill specifies that the sunset review of the authority is required to be conducted as if the authority were a state agency scheduled to be abolished September 1, 2029, and every 12th year after that year. The bill removes the requirement that the board select a presiding officer and instead requires the governor to designate a member of the board as the presiding officer of the board to serve in that capacity at the pleasure of the governor.

H.B. 1921 prohibits a person who is appointed to and qualifies for office as a director from voting, deliberating, or being counted as a director in attendance at a meeting of the board until the person completes a training program. The bill sets out provisions relating to the training program and adds a temporary provision set to expire January 1, 2018, authorizing a person serving on the board to vote, deliberate, and be counted as a director in attendance at a meeting of the board until December 1, 2017, notwithstanding such prohibition.

H.B. 1921 requires the board to develop and implement policies that clearly separate the policymaking responsibilities of the board and the management responsibilities of the general manager and staff of the authority. The bill requires the board to develop a policy to encourage the use of negotiated rulemaking procedures under the Negotiated Rulemaking Act for the adoption of authority rules and the use of appropriate alternative dispute resolution procedures under the Governmental Dispute Resolution Act to assist in the resolution of internal and external disputes under the authority's jurisdiction and sets out related provisions. The bill requires the board to develop and implement policies that provide the public with a reasonable opportunity to appear before the board and to speak on any agenda item at board meetings.

H.B. 1921 requires the authority to maintain a system to promptly and efficiently act on complaints filed with the authority and requires the authority to maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and its disposition. The bill requires the authority to make information available describing its procedures for complaint investigation and resolution and to periodically notify the complaint parties of the status of the complaint until final disposition.

H.B. 1921 repeals Section 1A, Chapter 126, General Laws, Acts of the 44th Legislature, Regular Session, 1935.

EFFECTIVE DATE

September 1, 2017.