

BILL ANALYSIS

S.B. 407
By: Birdwell
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the governor appoints the members of the governing boards of the river authorities across Texas and even designates the presiding officer of three river authorities. There have been calls to require the governor to make this designation for all river authorities in Texas in an effort to establish a direct link between the governor and the actions of the board. It has been suggested that creating uniformity with this designation authority will provide for more direct oversight from the governor of the river authorities. S.B. 407 seeks to address this issue by providing for the governor's designation of a presiding officer of a board of directors of river authorities.

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

S.B. 407 amends the Water Code to require the governor to designate a member of the board of directors of a river authority as the board's presiding officer to serve in that capacity at the pleasure of the governor and, for each river authority for which the governor was not required to make such a designation before the bill's effective date but for which the governor is required to do so under the bill, to make that designation not later than January 31, 2020. The bill defines "river authority" as the San Antonio River Authority and a district that:

- is created by the legislature under the authority of certain constitutional provisions as a regional water management entity to provide water development and planning services and other services to a river basin or portion of a river basin;
- contains one or more counties within its boundaries; and
- is governed by a board of directors appointed or designated wholly or partly by the governor.

The bill exempts a district with an entirely elected board and the Upper Neches River Municipal Water Authority from its provisions.

EFFECTIVE DATE

September 1, 2019.