

SUBJECT: Requiring open meetings compliance by directors-elect of water districts

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 7 ayes — Puente, Callegari, Hope, Bonnen, Campbell, Geren, Hilderbran
0 nays
2 absent — Hardcastle, Laney

WITNESSES: For — None
Against — None
On — Robert Anderson

BACKGROUND: Government Code, ch. 551 governs open meetings requirements for governmental bodies in Texas.

DIGEST: Under HB 2046, a director of a water district who had been elected but had not yet been sworn in would be subject to provisions governing open meetings under Government Code ch. 551.

The bill would take effect September 1, 2005.

SUPPORTERS SAY: HB 2046 is necessary in order to protect open government and ensure the accountability of water district boards in the state. There is a question as to whether current law allows individuals who have been elected but not sworn in to meet and discuss matters pertaining to the district without any public oversight. Directors-elect could discuss pending matters away from the public eye, and even reach decisions on important policy matters for taxpayers and citizens in the district. Without this bill, public confidence in the open governance of water districts could be undermined.

OPPONENTS SAY: HB 2046 would place onerous open meetings requirements on newly elected officials who may need to meet with other directors in order to learn about their new responsibilities. The bill is unnecessary, because board members would have to meet in open meetings as soon as they were

sworn in, and any binding policy decisions made by the board would have to take place in a public forum.

OTHER
OPPONENTS
SAY:

While this bill addresses an important shortfall in state open meetings law, there is no reason to single out water districts for stricter open meeting requirements. Rather, these provisions should apply across the board to all elected officials.