

- SUBJECT:** Applying open government laws to regional water planning groups
- COMMITTEE:** Government Transparency and Operation — committee substitute recommended
- VOTE:** 7 ayes — Elkins, Capriglione, Gonzales, Lucio, Shaheen, Tinderholt, Uresti
- 0 nays
- WITNESSES:** For — (*Registered, but did not testify:* David Lindsay, Central Texas Water Coalition; Kelley Shannon, Freedom of Information Foundation of Texas; Katija Gruene, Green Party of Texas; Terri Hall, Texans Uniting for Reform and Freedom (TURF); Michael Schneider, Texas Association of Broadcasters; Joshua Houston, Texas Impact; Zindia Thomas, Texas Municipal League; Donnis Baggett, Texas Press Association)
- Against — None
- On — (*Registered, but did not testify:* Temple McKinnon, Texas Water Development Board)
- BACKGROUND:** Water Code, sec. 16.053 requires each of the 16 regional water planning groups to prepare on a five-year planning cycle a regional water plan that includes information on water resources to prepare for drought conditions, further economic development, and protect agricultural and natural resources of that particular region. Following Texas Water Development Board approval, the plan is subsequently incorporated into the state water plan.
- DIGEST:** CSHB 3027 would make each regional water planning group and any committee or subcommittee of a regional water planning group subject to Texas open meeting and public information laws.
- The bill would take effect September 1, 2017.

SUPPORTERS  
SAY:

CSHB 3027 would subject all regional water planning groups and their committees and subcommittees to open government laws, which is necessary to ensure transparency in the state water planning process. Texas Water Development Board (TWDB) rules currently require meetings of regional water planning groups to be held in accordance with open meetings laws, but some regional planning group subcommittees have not followed this requirement. Further, it is ambiguous as to whether open meetings and public information laws statutorily apply.

Regional water planning groups became more important after the 83<sup>rd</sup> Legislature established the State Water Implementation Fund for Texas (SWIFT) in 2013. SWIFT is a special fund outside of the state treasury that can be used without further legislative appropriation by TWDB to implement the state water plan. Public input is critical to the regional water planning process because these groups reach decisions on important policy matters for taxpayers and citizens of the regions. This bill would help ensure that the public had a voice in this process.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

CSHB 3027 differs from the bill as filed in that the committee substitute:

- would make subcommittees, as well as committees, of regional water planning groups subject to open meeting and public information laws; and
- removed a provision that would have required a planning group to provide an opportunity for public participation, rather than public input under current law, during the preparation of a regional water plan.

A companion bill, SB 347 by Watson, was approved by the Senate on March 22 and referred to the House Committee on Government Transparency and Operation on April 18.