

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 413
By: Seliger
Agriculture, Water, & Rural Affairs
3/31/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4, passed in the 83rd Legislative Session, changed the makeup of the board of directors of the Texas Water Development Board. Prior to the bill, six members were appointed from different sections of the state. H.B. 4 amended this provision by reducing the number to three directors who are selected to represent the "diverse geographic regions and population groups" of the state. It also required one of the members to have experience in the field of engineering, one of the members to have experience in the field of public or private finance, and one of the members to have experience in the field of business or law.

The agriculture industry is vital to the Texas economy, and agricultural water users account for more than half of the annual water use in the state. C.S.S.B 413 requires that the third member be actively engaged in the business of production agriculture rather than business or law. It also requires that one of the three members reside in a rural area and be a registered voter of a county with a population of less than 355,000.

C.S.S.B. 413 amends current law relating to the qualifications for membership of the Texas Water Development Board.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 6.052(a) and (b), Water Code, as follows:

(a) Provides that the Texas Water Development Board (TWDB) is composed of three members who are appointed by the governor of the State of Texas (governor) with the advice and consent of the senate. Requires that one member have experience in the field of engineering, one member have experience in the field of public or private finance, and one member:

(1) be actively engaged in the business of farming or animal husbandry or another business related to agriculture; and

(2) wholly or partly own or lease land used in connection with a business described by Subdivision (1).

Deletes existing text requiring one member to have experience in the field of law or business.

(b) Requires the governor to make the appointments in such a manner that the members:

(1) reflect the diverse geographic regions and population groups of this state, provided that one member resides in a rural area and is a registered voter of a county with a population of less than 355,000; and

(2) Makes no change to this subdivision.

SECTION 2. Amends Section 6.054, Water Code, by adding Subsection (e), as follows:

(e) Prohibits a TWDB member who resided in a county with a population of less than 355,000 at the time the member was appointed from being removed on the ground that the population of the county no longer meets that requirement, notwithstanding Subsection (a)(2) (providing that it is a ground for removal from TWDB that a member does not maintain during service on TWDB the qualifications required for appointment to TWDB).

SECTION 3. Provides that the changes in law made by this Act relating to the qualifications for membership on the TWDB do not affect the eligibility of a member of TWDB serving immediately before the effective date of this Act to continue to serve on TWDB for the term to which the member was appointed. Requires the governor to appoint members of TWDB as necessary to ensure that the composition of TWDB complies with Section 6.052, Water Code, as amended by this Act, not later than February 1, 2019.

SECTION 4. Effective date: September 1, 2015.