

BILL ANALYSIS

Senate Research Center
86R19485 SLB-D

C.S.S.B. 407
By: Birdwell
Water & Rural Affairs
3/19/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The governor appoints, and the Senate confirms, the members of the governing boards of the river authorities across the state. The governor has designated the presiding officer of three river authorities since their inception (Brazos, Lower Colorado, and Upper Colorado). The Sunset Advisory Commission recommended this governing structure for the Sulphur Basin River Authority, which passed through the legislature in the 85th regular session. This Sunset cycle, the Sunset Commission recommended the same provision for three additional river authorities (Guadalupe-Blanco, Nueces, and Red), which is currently under consideration by the legislature. On the remaining boards, the members of the boards elect their presiding officer.

This legislation would require the governor to designate the chair of all 17 river authorities, thus creating a more direct link between the governor and the actions of the board as guided by the chair. Creating uniformity with the designation authority will provide for more direct oversight from the Office of the Governor to all of the Texas river authorities. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 407 amends current law relating to the presiding officers of the boards of directors of river authorities.

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 Title 5, Water Code, by designating Chapter 152 as Subtitle A and adding a subtitle heading to read as follows:

SUBTITLE A. RIVER AUTHORITIES

SECTION 2. Amends Subtitle A, Title 5, Water Code, as added by this Act, by adding Chapter 150, as follows:

CHAPTER 150. PROVISIONS GENERALLY APPLICABLE TO RIVER AUTHORITIES

Sec. 150.0001. DEFINITIONS. Defines "board" and "river authority."

Sec. 150.0002. PRESIDING OFFICER. (a) Provides that this section does not apply to a district with an entirely elected board or the Upper Neches River Municipal Water Authority.

(b) Requires the governor to designate a member of the board of a river authority as the presiding officer of the board to serve in that capacity at the pleasure of the governor.

SECTION 3. (a) Defines "river authority."

(b) Requires the governor, not later than January 31, 2020, to designate a presiding officer of the board of directors of the river authority for each river authority for which the governor was not required to designate a presiding officer of the board of directors for that river authority before the effective date of this Act and for which the governor is required to designate a presiding officer under Section 150.0002, Water Code, as added by this Act.

SECTION 4. Effective date: September 1, 2019.