

By: Clardy, Holland, Canales, Goldman,
Bell of Kaufman, et al.

H.B. No. 1535

Substitute the following for H.B. No. 1535:

By: King of Uvalde

C.S.H.B. No. 1535

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the San Antonio River Authority, following
3 recommendations of the Sunset Advisory Commission; altering the
4 terms of office of the members of the board of directors of the
5 authority.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 1-a(a), Chapter 276, Acts of the 45th
8 Legislature, Regular Session, 1937, is amended to read as follows:

9 (a) The District is subject to review under Chapter 325,
10 Government Code (Texas Sunset Act), but may not be abolished under
11 that chapter. The review shall be conducted under Section 325.025,
12 Government Code, as if the District were a state agency scheduled to
13 be abolished September 1, 2035 [~~2023~~], and every 12th year after
14 that year.

15 SECTION 2. Section 3, Chapter 276, Acts of the 45th
16 Legislature, Regular Session, 1937, is amended to read as follows:

17 Sec. 3. POWERS OF THE DISTRICT. The District is hereby
18 invested with all of the powers of the State of Texas under Article
19 16, Section 59, of the Constitution of the State of Texas to
20 effectuate the construction, maintenance and operation of
21 navigable canals or waterways, to effectuate flood control, to
22 effectuate the conservation and use, for all beneficial purposes,
23 of ground, storm, flood and unappropriated flow waters in the
24 District, to effectuate irrigation, to effectuate soil

1 conservation, to effectuate sewage treatment, to effectuate
2 pollution prevention, to encourage and develop parks, recreational
3 facilities and to preserve fish, to effectuate forestation and
4 reforestation, and to do all things as are required therefor,
5 subject only to: (i) declarations of policy by the Legislature of
6 the State of Texas as to the use of water; (ii) continuing
7 supervision and control by the State Board of Water Engineers and
8 any board or agency which may thereafter succeed to its duties;
9 (iii) the provisions of Section 4, page 212, Acts of the
10 Thirty-fifth Legislature, 1917, as subsequently amended (codified
11 under Article 7471, Vernon's Civil Statutes of the State of Texas),
12 prescribing the priorities of uses for water; and (iv) the rights
13 heretofore or hereafter legally acquired in water by municipalities
14 and other users. Subject to the foregoing, it shall be the duty of
15 the District to exercise for the greatest practicable measure of
16 the conservation and beneficial utilization of all ground, storm,
17 flood and unappropriated flow waters of the District, in the manner
18 and for the particular purposes specified hereinafter in this
19 Section 3 and elsewhere in this Act the following powers, rights,
20 privileges and functions, to wit:

21 (a) Navigation:

22 (1) To promote, construct, maintain and operate, and/or to
23 make practicable, promote, aid and encourage, the construction,
24 maintenance and operation of navigable canals or waterways and all
25 navigational systems or facilities auxiliary thereto using the
26 natural bed and banks of the San Antonio River to its junction with
27 the Guadalupe River where practicable and thence traversing such

1 route as may be found by the District to be most feasible and
2 practicable to connect with the Intracoastal Canal and/or with any
3 new canal to be constructed and/or with any harbor at or near San
4 Antonio Bay or the Gulf of Mexico, and also using such new
5 correlated artificial waterways, together with all locks and other
6 works, structures and artificial facilities as may be necessary and
7 convenient for the construction, maintenance and operation of said
8 navigable canals or waterways and all navigational systems or
9 facilities auxiliary thereto. The District is empowered to
10 construct, or cause to be constructed, said system of artificial
11 waterways, canals, locks, works and other facilities so as to
12 connect the watershed area of the San Antonio River, including
13 navigation to or at a point near the City of San Antonio, with the
14 Intracoastal Canal and/or with any new canal to be constructed
15 and/or with any harbor at or near San Antonio Bay or the Gulf of
16 Mexico;

17 (2) To control, develop, store and use the natural flow and
18 floodwaters of the San Antonio River and its tributaries for the
19 purpose of operating and maintaining said navigable canals or
20 waterways and all navigational systems or facilities auxiliary
21 thereto, provided, however, that such navigational use shall be
22 subordinate to consumptive use of water, and navigation shall be
23 incidental thereto;

24 (3) In the case of the construction of said navigable canals
25 or waterways and all navigational systems or facilities auxiliary
26 thereto by the Federal Government or otherwise, the District shall
27 have the power to construct, maintain and operate lateral

1 connecting canals and turning basins to serve local needs, and
2 shall also have the power to provide, construct, acquire, purchase,
3 take over, lease from others, lease to others, and to maintain and
4 operate, develop, regulate and/or by franchise control wharves,
5 docks, warehouses, grain elevators, bunkering facilities, belt or
6 terminal railroads, floating plants, lighterage, towing
7 facilities, and all other facilities incident to or in aid of the
8 efficient operation and development of said canals or waterways and
9 all navigational systems or facilities auxiliary thereto, and any
10 ports incident thereto, whether the same be upon land or upon water;

11 (4) In the event the construction and/or maintenance and
12 operation of said navigable canals or waterways and all
13 navigational systems or facilities auxiliary thereto is taken over
14 by the Federal Government or any agency of the Federal Government,
15 then and in such event the District shall be fully authorized to
16 make and enter into any such contracts as may be lawfully required
17 by the Federal Government, including such assignments and transfers
18 of property and rights of property and easements and privileges and
19 any and all other lawful things and acts may be necessary and
20 required in order to meet the requirements of the Federal
21 Government or any agency of the Federal Government in taking over
22 the construction and/or maintenance and operation of said navigable
23 canals or waterways and all navigational systems or facilities
24 auxiliary thereto;

25 (5) The District may grant a franchise or right to any
26 person or body politic or corporate for the use of said navigable
27 canals or waterways and all navigational systems or facilities

1 auxiliary thereto or any facility thereof in aiding navigation and
2 no person or body politic or corporate may provide, maintain or
3 operate any facility of aid of navigation in any way connected with
4 said navigable canals or waterways and all navigational systems or
5 facilities auxiliary thereto and intended for use by the public
6 within the meaning and intent of this Act, except by and under the
7 franchise granted by this District, in the form of an ordinance as
8 provided by this Act, which franchise may be for any term not to
9 exceed fifty (50) years. Such ordinance granting franchise may
10 contain provisions for the payment of reasonable fees, and/or other
11 charges to be paid to the District, and shall contain provisions
12 adequate to regulate the fees, tolls, rates or exactions to be
13 demanded for the use of, or service to be rendered by any means or
14 facility to be provided or operated under any such franchise, to the
15 end that the same will be uniform, reasonable, and without
16 discrimination against any person, both as to charges and the
17 conditions of use or service, and such ordinance shall contain all
18 provisions reasonably required to procure service adequate to serve
19 the public necessity and convenience. The District may grant a
20 franchise for the design, construction, repair, enlargement,
21 alteration, maintenance, operation of, and service from, or use of
22 any facility to be provided for use in aid of navigation on said
23 navigable canals or water ways and all navigational systems or
24 facilities auxiliary thereto, whether upon land, or in or upon
25 water. The right hereby granted shall include the right to require
26 uniform and adequate analytic accounting systems and forms,
27 periodic verified reports based thereon, and the right of audit by

1 the District, and other reasonable regulations designed to protect
2 the public. In order to procure observance of the conditions of a
3 franchise granted hereunder, and/or compliance with the rules and
4 regulations established by ordinance of the District (to be adopted
5 and promulgated as elsewhere is provided in this Act) hereunder,
6 such ordinance may provide reasonable and commensurate penalties as
7 provided by Section 49.004, Water Code [~~fixed by General Law in~~
8 ~~Texas, and not to exceed the limit for penalties as fixed elsewhere~~
9 ~~in this Act~~]. The forfeiture or suspension of a franchise granted
10 under this Act, where not otherwise provided in any such franchise,
11 may be only because of discrimination in rendering service,
12 affording use, or in taking or demanding a toll, rate or charge.
13 Forfeiture or suspension of a franchise granted hereunder, unless
14 otherwise provided therein, shall be upon a decree of a District
15 Court within the County in which this District may maintain its
16 general office. The District may likewise by ordinance establish
17 rules necessary or designed to protect the physical property owned
18 by it, or physical property owned or operated by another under a
19 franchise hereunder granted, and/or to effect the safety or
20 efficient use of the same, and in such ordinance may provide
21 reasonable and commensurate penalties for the violation thereof, as
22 provided by Section 49.004, Water Code [~~which penalties shall be~~
23 ~~cumulative of other penalties provided by the General Law of Texas,~~
24 ~~and not to exceed the limit for penalties as fixed elsewhere in this~~
25 ~~Act~~];

26 (b) Flood Control and Flood Plain Management. To prevent
27 and aid in the prevention of damage to persons and property by the

1 overflow of any and all rivers, streams or tributaries thereof
2 within the District including the study and designation of flood
3 plains and the regulation thereof;

4 (c) Water Conservation, Storage, Procurement, Distribution
5 and Supply:

6 (1) To store and conserve to the greatest beneficial use the
7 storm, flood and unappropriated flow waters of any and all rivers,
8 streams or the tributaries thereof within the District, so as to
9 prevent the escape of any water without maximum beneficial use
10 either within or without the District;

11 (2) For the conservation of water for uses either within or
12 without the District, including providing water supply for cities
13 and towns, and the right to sell water and stand-by service to any
14 person, firm, or corporation, including cities and towns and other
15 public agencies within or without the District; provided that it is
16 the intent of this Act to establish a District that is concerned
17 primarily with the conservation, control, storage, distribution
18 and sale of water in bulk quantities in the public interest and only
19 incidentally with the retail sale of water insofar as it does not
20 compete with municipal water distributors and then only when
21 necessary or convenient as a service to the public;

22 (3) To acquire water appropriation permits either within or
23 without the District directly from the State Board of Water
24 Engineers or to purchase or otherwise acquire such permits or
25 certified filings either within or without the District from the
26 owners thereof;

27 (4) To purchase water, water supply facilities on

1 conservation storage capacity either within or without the District
2 from any person, firm, corporation, State agency or other public
3 agency, or from the United States or its agencies;

4 (5) To execute water supply contracts with users of water
5 within or without the District. Included in the services for which
6 the District may contract, and for which it may make charges, is
7 that of standby service as well as for the actual delivery of water;

8 (6) To provide water for the development of commercial and
9 industrial enterprises within or without the District;

10 (7) To bring water into the boundaries of the District;

11 (8) To construct, acquire, equip, to acquire storage rights
12 at, and operate and maintain dams and reservoirs, either within or
13 without the District, had in carrying out the powers conferred upon
14 the District, or to exercise such powers in conjunction with
15 others;

16 (9) To construct [~~contract~~], operate and maintain or
17 otherwise provide water supply lines, water purification and water
18 pumping systems and facilities either within or without the
19 District;

20 (10) Power to execute contracts with municipalities and
21 others involving the construction of reservoirs, dams, water supply
22 lines, water purification and pumping facilities, and the
23 furnishing of water supply service substantially in the manner
24 prescribed by Chapter 342, Acts of the Regular Session of the
25 Fifty-first Legislature, for Districts organized and created
26 pursuant to Article 16, Section 59, of the Constitution, extended
27 so as to permit such contracts with individuals, partnerships, and

1 all classes of corporations, and to permit the inclusion of
2 provisions for the operation, maintenance and ownership of such
3 properties, but the powers granted the District in this Subsection
4 are not to be considered a limitation on the powers, rights,
5 privileges and functions otherwise granted herein;

6 (11) To acquire from the United States Government, through
7 the Secretary of the Army or the Secretary of the Interior or any
8 other of its officials authorized to make such contracts, or from
9 the State of Texas or any agency thereof, or from any privately
10 financed reservoirs, unsold conservation storage capacity at any
11 dam within or without the District now constructed or to be
12 constructed either by or with the assistance of the United States
13 Government or the State of Texas, or by both. It may acquire
14 additional conservation storage capacity which may be provided at
15 any such dam;

16 (d) Irrigation: To provide water for irrigation of lands
17 within and without the District, and incident thereto, to
18 construct, operate and maintain supply lines and pumping systems
19 and facilities either within or without the District;

20 (e) Soil Conservation: For the conservation of soils and
21 other surface resources within the District against destructive
22 erosion, thereby preventing the increased flood menace incident
23 thereto, and for the prevention of sedimentation and siltation of
24 lands, channels and reservoirs, including the right either to act
25 as local sponsoring agent of upstream soil and water conservation
26 and flood prevention projects authorized by State or Federal
27 Agencies in conjunction with Soil Conservation Districts or to aid

1 and supplement the work of such upstream soil and water
2 conservation and flood prevention projects, all in furtherance of
3 the purposes of the District as provided by this Act [~~'Master Plan'~~
4 ~~as defined in Section 4-a~~]. In connection therewith, the District
5 is authorized to make arrangements satisfactory to the Secretary of
6 Agriculture of the United States for defraying costs of operating
7 and maintaining such projects, in accordance with regulations
8 presented by the Secretary of Agriculture; provided, however, that
9 any portion of the total construction cost of any such project which
10 is allocable to flood control and/or soil conservation shall be
11 paid for or financed by funds which have their source in the county
12 in which each particular project is situated and which funds may be
13 of any kind or character, except taxes collected in accordance with
14 the provisions of Sections 15-a and 15-b of this Act;

15 (f) Sewage Treatment and Solid Waste Disposal. As a
16 necessary aid to the conservation, control, preservation,
17 purification and distribution of surface and ground waters within
18 the District, the District shall have the power to construct, own,
19 operate, maintain or otherwise provide, within the San Antonio
20 River Basin, sewage gathering, treatment and/or disposal services,
21 including solid waste disposal services, to charge for such
22 services, and to make contracts in reference thereto with counties,
23 municipalities and others. Provided, however, that the District
24 shall not exercise the powers hereinabove granted by this Section
25 3(f) within the boundaries of Kerr, Real, or Bandera Counties
26 unless the Commissioners Court of such county or counties shall
27 first have consented by a majority vote thereof to the exercise of

1 such power within such county or counties;

2 (g) Pollution Prevention. To provide for the study,
3 correcting and control of both artificial and natural pollution
4 including organic, inorganic and thermal, of all ground or surface
5 water within the San Antonio River Basin. In this connection, the
6 District is given the power by ordinance to promulgate rules and
7 regulations with regard to such pollution, both artificial and
8 natural, with the right of policing by said District to enforce such
9 rules and regulations and of providing reasonable and commensurate
10 penalties for the violation of any rules and regulations, as
11 provided by Section 49.004, Water Code [~~which penalties shall be~~
12 ~~cumulative of any penalties fixed by General Law in Texas, and not~~
13 ~~to exceed the limit for penalties as fixed elsewhere in this Act~~].
14 Provided, however, that no ordinance enacted pursuant to the powers
15 hereinabove given the District by this Section 3(g) shall be
16 promulgated in any county or counties outside the existing
17 boundaries of the District;

18 (h) Parks, Recreational Facilities and Preservation of
19 Fish: For the encouragement and development of parks, recreational
20 facilities and the preservation of fish, the District shall have
21 the power to acquire additional land adjoining any permanent work
22 of improvement constructed within the District for the purpose of
23 developing parks, or recreational facilities. The District may
24 negotiate contracts with any county, municipality, municipal
25 corporation, person, firm, corporation, non-profit organization,
26 or State or Federal agency for the operation and/or maintenance of
27 any such park, or recreational facility. The preservation of fish

1 shall be in accordance with rules and regulations, if any,
2 prescribed by the Game and Fish Commission of the State of Texas;

3 (i) Forestation and Reforestation: To forest and reforest
4 and to aid in foresting and reforesting of all areas within the
5 District;

6 (j) Contractual: To make contracts and to execute
7 instruments necessary or convenient to the exercise of the powers,
8 rights, privileges and functions conferred upon it by this Act,
9 with the United States, its agencies, counties, cities, all
10 municipal corporations, political subdivisions and districts, and
11 with private persons, partnerships, associations, nonprofit
12 organizations, and corporations. The District shall make and
13 execute such contracts and instruments in accordance with the
14 following procedures:

15 (1) Concerning any wholesale contract for the sale,
16 purchase, procurement, distribution and/or supply of water or
17 conservation storage capacity, or for the construction of a
18 navigable canal or waterway, or any contract authorized by Section
19 1, Chapter 84, page 140, Acts of the 52nd Legislature, 1951, as
20 subsequently amended (codified under Article 7048b, Vernon's Civil
21 Statutes of Texas), the Manager shall cause a notice describing the
22 general nature of such contract to be published once each week for
23 two (2) [~~three (3)~~] consecutive weeks in a newspaper of general
24 circulation in each county in the District within which such
25 contract is to have effect. Such contract may be considered and
26 acted upon at the regular meeting of the Board next following the
27 last date of publication or, without further notice, at any meeting

1 thereafter. The affirmative vote of a majority of the membership
2 [~~at least seven (7) members~~] of the Board shall be required for the
3 approval of confirmation or ratification of any such contract. [~~Of~~
4 ~~those seven (7) affirmative votes, at least three (3) affirmative~~
5 ~~votes shall be cast by Board members from Bexar County, at least one~~
6 ~~(1) affirmative vote shall be cast by a Board member from Wilson~~
7 ~~County, at least one (1) affirmative vote shall be cast by a Board~~
8 ~~member from Karnes County, and at least one (1) affirmative vote~~
9 ~~shall be cast by a Board member from Coliad County.~~] The District
10 may use any such contract as the sole basis, or as a supplement to
11 the basis, for securing its bonds;

12 (2) Concerning any construction, maintenance, operation or
13 repair contract, contract for the purchase of material, equipment
14 or supplies or any contract for services, not including any
15 purchase, procurement, or contract described by Section 49.278,
16 Water Code [~~other than professional services~~], if the contract will
17 require an estimated expenditure of more than the maximum amount
18 for which competitive bidding is required by Chapter 49, Water Code
19 [~~statute for any political subdivision of the state or if the~~
20 ~~contract is for a term of two (2) years or more~~], the Board, upon the
21 affirmative vote of a majority of a quorum present at any regular or
22 special meeting, shall award such contract to the lowest and best
23 bidder after publication of a notice to bidders once each week for
24 two (2) [~~three (3)~~] consecutive weeks. The Board by bylaw shall
25 promulgate the procedures for the publication of notice to bidders
26 and related procedures and may, within the limitations set forth in
27 this section, from time to time prescribe the amount of estimated

1 expenditures to be subjected to competitive bidding. In the event
2 of an emergency, the authority may let such contracts as are
3 necessary to protect and preserve the public health and welfare or
4 the properties of the authority, without such bidding procedures.
5 Members of the Board of Directors shall be ineligible to submit such
6 bids. Any provision of this Subsection to the contrary
7 notwithstanding, the District may purchase surplus property from
8 the United States by negotiated contract and without the necessity
9 of advertising for bids. Notwithstanding any other provision of
10 this Act, the District may use any procurement method under Chapter
11 49, Water Code, or other applicable general law.

12 (k) General:

13 (1) This District hereby is vested with such title and right
14 of control as the State has, or may have, in, to and concerning the
15 natural bed and banks of the San Antonio River in its entire length,
16 and all of its tributaries as are within the District, as said
17 District is defined in Section 2-a of this Act, and the District
18 hereby is further vested with such title and right of control as the
19 State has, or may have, in, to and concerning the natural bed and
20 banks of any other navigable stream or tributary thereof as may be
21 situated within the District, as said District is defined in
22 Section 2-a of this Act; which investment, however, shall be in
23 trust, and to authorize said District to make such uses, and/or
24 disposition of such lands and rights (and the proceeds, income,
25 revenues, or trading values thereof) as in actual experience may
26 prove to be reasonably required for, or in aid of, the
27 accomplishment of the purposes of this Act;

1 (2) To make preliminary investigations and surveys in the
2 manner and for the purposes specified in Chapters 49 and 51, Water
3 Code, and any other applicable general law [~~said Chapter 25~~]
4 (either independently at its own cost, or jointly with others, or to
5 contribute to the cost thereof when done by another), whereby to
6 procure cooperation by the Government of the United States of
7 America, to the end that any project lawfully within the purposes of
8 this Act may be approved for construction as a Federal project under
9 such contractual terms and conditions as may be demanded by the
10 Federal Congress;

11 (3) To expend all sums reasonably deemed to be necessary or
12 expedient for seeking cooperation in accomplishing the objects of
13 this Act from the Federal Government, and/or any and all other
14 persons, creatures, or entities, whether natural, or creatures of
15 law or contract;

16 (4) Subject to the provisions of this Act from time to time
17 to sell or otherwise dispose of any property of any kind, real,
18 personal, or mixed, or any interest therein, which shall not be
19 necessary to the carrying on of the business of the District;

20 (5) To overflow and inundate any public lands and public
21 property and to require the relocation of roads and highways in
22 manner and to the extent permitted to districts organized under
23 General Laws pursuant to Section 59 of Article 16 of the
24 Constitution of the State of Texas. In the event that the District,
25 in the exercise of the power of eminent domain or power of
26 relocation, or any other power granted hereunder, makes necessary
27 the relocation, raising, rerouting or changing the grade of, or

1 altering the construction of any railroad, or street railway, all
2 such necessary relocation, raising, rerouting, changing of grade or
3 alteration of construction shall be accomplished at the sole
4 expense of the District;

5 (6) To construct, extend, improve, maintain and
6 reconstruct, to cause to be constructed, extended, improved,
7 maintained, and reconstructed, and to use and operate, any and all
8 facilities of any kind necessary or convenient to the exercise of
9 such powers, rights, privileges, and functions;

10 (7) To sue and to be sued in its corporate name;

11 (8) To adopt, use, and alter a corporate seal;

12 (9) To adopt and to amend its bylaws for the management of
13 its affairs;

14 (10) To appoint officers, agents, employees and
15 professional consultants, none of whom shall have any interest,
16 direct or indirect, in any contracts awarded by the District;

17 (11) To prescribe the duties and fix the compensation of all
18 officers, agents, employees and professional consultants;

19 (12) To acquire by purchase, lease, gift, or in any other
20 lawful manner and to maintain, use, and operate any and all property
21 of any kind, real, personal or mixed, or any interest therein,
22 within and without the boundaries of the District, necessary or
23 convenient to the exercise of the powers, rights, privileges and
24 functions conferred upon it by this Act, in the manner provided by
25 general law with respect to condemnation or, at the option of the
26 District, in the manner provided by the statutes relative to
27 condemnation by Districts organized under general law pursuant to

1 Section 59 of Article 16 of the Constitution of the State of Texas;

2 (13) ~~[To condemn lands used or dedicated for cemetery~~
3 ~~purposes in the manner provided by the General Law of Texas where~~
4 ~~reasonably necessary to effectuate the powers, rights, privileges~~
5 ~~and functions of the District, provided, however, that, when such~~
6 ~~power of condemnation is sought to be exercised with respect to any~~
7 ~~Perpetual Care cemetery, as defined in Article 912a, Vernon's Civil~~
8 ~~Statutes of the State of Texas, as to the condemnation of any such~~
9 ~~Perpetual Care cemetery or portion thereof, jurisdiction is hereby~~
10 ~~conferred for such purpose on the District Court or Courts of the~~
11 ~~county in which such cemetery land or any part thereof may be~~
12 ~~located, and such condemnation action shall likewise involve the~~
13 ~~issue of the removal of the dedication thereof as such Perpetual~~
14 ~~Care cemetery and the issue of the necessity for such taking,~~

15 ~~[(14)]~~ To borrow money for its corporate purposes and to
16 execute proper notes or other evidences of indebtedness, and
17 without limitation of the generality of the foregoing, to borrow
18 money and accept grants from the United States of America, and in
19 connection with any such loan or grant, to enter into such
20 agreements as the United States of America or such corporation or
21 agency may require; and to make and issue its negotiable bonds for
22 moneys borrowed in the manner and to the extent provided in Section
23 16. Nothing in this Act shall authorize the issuance of any bonds,
24 notes, or other evidences of indebtedness of the District, except
25 as specifically provided in this Act, and no issuance of bonds,
26 notes, or other evidences of indebtedness, except as specifically
27 provided in this Act, shall ever be authorized except by an Act of

1 the Legislature;

2 (14) [~~(15)~~] To obtain loans from and accept grants from the
3 United States and its agencies, and from the State of Texas, and its
4 agencies, and it shall have the right to participate in and be the
5 beneficiary of any plan which may be evolved by the State or Federal
6 Government for guaranteeing or otherwise subsidizing the
7 obligations of the District;

8 (15) [~~(16)~~] The District shall have the power to adopt and
9 promulgate by ordinance all reasonable rules and regulations for
10 purposes elsewhere provided in this Act and generally to secure and
11 protect any and all of its property and any and all of its works of
12 improvement, and to regulate residence, hunting, fishing, boating
13 and camping, and all recreational and business privileges on any
14 navigable river of the District, or any reservoir of the District,
15 or upon any land owned by the District. The District may prescribe
16 reasonable and commensurate penalties for the violation of any and
17 all such rules and regulations of the District, as provided by
18 Section 49.004, Water Code [~~which penalties shall be cumulative of~~
19 ~~any penalties fixed by the General Law in Texas and shall not exceed~~
20 ~~finer of more than Two Hundred Dollars (\$200), or imprisonment for~~
21 ~~not more than one hundred eighty (180) days, or may provide for both~~
22 ~~such fine and imprisonment~~]. No rule or regulation which provides a
23 penalty for the violation thereof shall be in effect, as to
24 enforcement of the penalty, until five (5) days next after the
25 District may have caused a substantive statement of the particular
26 rule or regulation and the penalty for the violation thereof to be
27 published once a week for two (2) [~~three (3)~~] consecutive weeks in a

1 newspaper of general circulation in each county in which it is to be
2 effective. The substantive statement so to be published shall be as
3 condensed as is possible to afford an intelligent direction of the
4 mind to the act forbidden by the rule or regulation; one (1) notice
5 may embrace any number of regulations; there must be embraced in the
6 notice advice that breach of the particular regulation, or
7 regulations, will subject the violator to the infliction of a
8 penalty and there also shall be included in the notice advice that
9 the full text of the regulations sought to be enforced is on file in
10 the principal office of the District, where the same may be read by
11 any interested person. Five (5) days after the second [~~third~~]
12 publication of the notice hereby required, the advertised
13 regulation shall be in effect, and ignorance of any such regulation
14 shall not constitute a defense to a prosecution for the enforcement
15 of a penalty and, the rules and regulations authorized hereby,
16 after the required publication, shall judicially be known to the
17 courts [~~and shall be considered of a nature like unto that of valid~~
18 ~~penal ordinance of a city of the State~~]. Section 49.004, Water
19 Code, governs costs incurred by the District before the court in any
20 suit by the District to enforce its rules or regulations [~~The~~
21 ~~District shall be primarily liable for any court costs incurred~~
22 ~~hereunder, and the cost to maintain any offender committed for~~
23 ~~imprisonment hereunder. Any fine imposed in any such proceeding~~
24 ~~and paid in money shall be payable to this District and applied as~~
25 ~~its Board may direct~~];

26 (16) [~~(17)~~] To designate an official newspaper of the
27 District in each county in the District, each of which newspapers

1 shall be a newspaper having general circulation in the county in
2 which it is situated;

3 (17) [~~(18)~~] To acquire such rights-of-way as are necessary
4 to construct, operate and maintain such roads as are necessary for
5 ingress and egress to any work of improvement or to any park,
6 recreational facility, or fish or wildlife preserve or reserve;

7 (18) [~~(19)~~] To grant concessions and franchises upon the
8 premises of any works of improvement or any park, recreational
9 facility or fish or wildlife preserve or reserve to any person or
10 corporation;

11 (19) [~~(20)~~] When germane to the accomplishment and the
12 purposes of this Act, and not otherwise adequately provided by
13 Chapter 49 or 51, Water Code [~~Chapter 25~~], or provided elsewhere in
14 this Act, the Directors of the District shall have the power to
15 adopt and promulgate ordinances, which may be done by a majority of
16 the membership of the Board [~~(except as specifically provided~~
17 ~~elsewhere in this Act) of those Directors present at any meeting~~
18 ~~held in compliance with the provisions of the bylaws at which there~~
19 ~~must be present a majority of the Board, constituting a quorum)]. No
20 notice shall be required before the passage of such ordinance,
21 except such notices of special or regular meetings of the Board as
22 may be provided elsewhere in this Act. After having adopted such
23 ordinances, the Directors shall cause the same to be filed and
24 recorded in the official records of the Authority. The Directors
25 may, if they deem necessary and proper, in addition to filing and
26 recording same in the official records of the Authority, either
27 caused certified copies of same to be forthwith filed of record in~~

1 the office of the County Clerk of each county situated in whole or
2 in part within the District within which such ordinance is intended
3 to have application and/or to be published once or more each week
4 for two (2) [~~three (3)~~] or more consecutive weeks in a newspaper or
5 newspapers of general circulation in each county within the
6 District within which ordinance is intended to have application,
7 following either or all of which methods of recording and/or
8 publication the ordinance shall be in full force and effect; and
9 thereafter all courts and persons shall be held to have knowledge
10 thereof, just as though the same had been embraced in the body of
11 this Act and the County Clerk in any county is authorized and
12 directed to file and record all certified copies of such county and
13 to charge therefor the same fees as is provided for recording deeds
14 of conveyance. And the powers of said District to adopt ordinances
15 shall include, among other things as follows: in any case in which
16 Chapters 49 and 51, Water Code, do [~~said Chapter 25 does~~] not
17 provide a specific power or right germane to, or appropriate, or
18 adequate to accomplish an object of this Act, and such specific
19 power has been, or hereafter may, conferred by law on Counties,
20 Cities, Water Improvement Districts, Water Control and Improvement
21 Districts, Drainage Districts, Navigation Districts, Canal
22 Corporations, Channel and Dock Corporations, Deep Water
23 Corporations, Railway Corporations, Terminal Railway Corporations,
24 Telegraph and Telephone Corporations, or other like creatures of
25 the law, then to the extent [~~intent~~] required to make adequate
26 hereto the powers and rights of this District, it may by ordinance
27 adopt and have as part of the law of its being so much of the power

1 and right of any of the herein designated creatures of the law as
2 will enable it effectively to accomplish that purpose of this Act.
3 The adoption of a power or mode of procedure hereunder shall not be
4 held to include any incidental limitation which would impede the
5 lawful accomplishment of the purposes of this Act. As to this,
6 there shall be no limit hereof save such as would violate the
7 provisions of the Constitution of the United States and the State of
8 Texas concerning the rights of others;

9 (20) [~~(21)~~] This District shall have all such powers and
10 rights, and regulations for government and procedure, as are
11 contained in Chapters 49 and 51, Water Code, and any other
12 applicable general law [~~said Chapter 25~~], which shall be cumulative
13 of those provided by this Act, and those rules for procedure which
14 may be provided by ordinances adopted by the District under other
15 provisions of this Act.

16 SECTION 3. Chapter 276, Acts of the 45th Legislature,
17 Regular Session, 1937, is amended by adding Section 5 to read as
18 follows:

19 Sec. 5. PARTNERSHIP WITH NONPROFIT ORGANIZATION. (a) In
20 this section, "affiliated nonprofit organization" means a
21 nonprofit organization:

22 (1) created by the District; or

23 (2) for which the District, the Board, or the
24 District's employees have a right to appoint one or more of the
25 members of the governing body of the nonprofit organization.

26 (b) The District may contract or otherwise coordinate with a
27 nonprofit organization, including an affiliated nonprofit

1 organization, to accomplish the purposes of the District.

2 (c) Members of the Board may not constitute a majority of
3 the board of directors or other governing body of an affiliated
4 nonprofit organization. Employees of the District may not serve on
5 the board of directors or other governing body of an affiliated
6 nonprofit organization.

7 (d) The Board shall develop a policy regarding fund-raising
8 activities of any nonprofit organizations that enter into a
9 partnership with the District. The policy must:

10 (1) include acceptable and prohibited fund-raising
11 activities;

12 (2) specify how fund-raising is conducted and
13 supervised; and

14 (3) include criteria for seeking and selecting
15 corporate sponsors to ensure that sponsorships serve the public
16 interest and are consistent with the purposes of the District.

17 (e) A memorandum of understanding between the District and
18 an affiliated nonprofit organization entered into under this
19 section must include the policy developed by the Board under
20 Subsection (d) of this section.

21 SECTION 4. Section 9, Chapter 276, Acts of the 45th
22 Legislature, Regular Session, 1937, is amended to read as follows:

23 Sec. 9. GOVERNING BODY OF THE DISTRICT; QUALIFICATIONS OF
24 MEMBERS OF THE BOARD; VACANCIES; TERM OF OFFICE. The government and
25 control of the District shall be vested in a Board of Directors
26 consisting of 12 [~~twelve (12)~~] members, 6 [~~six (6)~~] of whom shall be
27 elected from Bexar County, 2 [~~two (2)~~] of whom shall be elected from

1 Wilson County, 2 [~~two (2)~~] of whom shall be elected from Karnes
2 County, and 2 [~~two (2)~~] of whom shall be elected from Goliad County.
3 Each director shall serve for a term of four [~~six (6)~~] years, and
4 shall hold office until the director's [~~his~~] successor has been
5 elected and has qualified by taking the oath of office. Before
6 entering upon the duties of the member's [~~his~~] office, each member
7 of the Board shall take the Constitutional Oath of Office and the
8 same shall be filed in written form with the Secretary of the Board.
9 Vacancies occurring on the Board from any county shall be filled by
10 appointment by the Governor of the State, with the advice and
11 consent of the Senate, for such unexpired term. Any person over the
12 age of 21 [~~twenty-one (21)~~] years, residing within the District and
13 within the county from which the person [~~he~~] is elected or
14 appointed, and possessing the qualifications of a juror shall be
15 eligible to be elected or appointed and to serve as a director.

16 SECTION 5. Section 10, Chapter 276, Acts of the 45th
17 Legislature, Regular Session, 1937, is amended to read as follows:

18 Sec. 10. ELECTION OF DIRECTORS. All elections within the
19 District shall be carried out in accordance with rules set forth in
20 the bylaws and the Election Code, and the results of all elections
21 shall be canvassed by the Board of Directors of the District at the
22 regular meeting next following each biennial election. All
23 elections shall be held on the uniform election date in November
24 [~~third Saturday in January~~] of each odd-numbered year and at the
25 polling places designated by the Board of Directors of the
26 District. The terms of office of Directors elected at each election
27 after the said first election shall commence on the first day of

1 January [~~February~~] following their election. In all elections the
2 following rules shall apply:

3 (a) Those persons seeking to have their names placed on the
4 official ballot shall make application to the Secretary of the
5 Board in accordance with rules prescribed by the Board either in the
6 ordinance calling the election or in the bylaws.

7 (b) The Secretary of the Board shall make up the official
8 ballot for each county from the names of candidates who have filed
9 applications, and the placing of the names of the candidates on the
10 ballots shall be determined by lot. The drawing of lots for the
11 placing of the names of the candidates on the ballots shall be by
12 the Secretary of the Board, and all candidates, or their designated
13 representatives, may be present at such drawing.

14 (c) The Directors from Wilson, Karnes, and Goliad Counties
15 shall be elected at large from each county. Four (4) Directors from
16 Bexar County shall be elected from single-member districts and two
17 (2) Directors shall be elected at large. The four (4) single-member
18 districts shall be coterminous with and bear the same number as the
19 Bexar County Commissioners Precincts. A candidate for a
20 single-member district position must live in the district the
21 candidate seeks to represent.

22 (d) The candidates receiving the greatest number of votes,
23 that is a plurality, shall be declared elected. Should there be a
24 tie in the votes received, the winner of the election shall be
25 determined by the majority of the Board. The two (2) at-large
26 Directors of Bexar County shall be elected simultaneously by
27 plurality, and the two (2) candidates receiving the greatest number

1 of votes shall be declared elected.

2 (e) Directors of the District serving from single-member
3 districts at the time new single-member districts are adopted shall
4 serve for the remainder of the terms to which they were elected
5 regardless of the redistricting.

6 SECTION 6. Section 13, Chapter 276, Acts of the 45th
7 Legislature, Regular Session, 1937, is amended to read as follows:

8 Sec. 13. ORGANIZATION AND MEETINGS OF THE BOARD; OFFICERS;
9 QUORUM. There [~~At the first regular meeting of the Board held in~~
10 ~~the month of February of each odd-numbered year, there~~] shall be
11 appointed by a majority vote of the Board of Directors from its
12 membership a Chairman, a Vice-Chairman, a Secretary and a
13 Treasurer, and any other officers or assistant officers the Board
14 considers necessary. Assistant officers [~~, if deemed proper, an~~
15 ~~Assistant Secretary and an Assistant Treasurer, who~~] need not be
16 members of the Board of Directors and [~~who~~] may be granted limited
17 powers in the bylaws. The officers so appointed shall serve for a
18 term of two (2) years and until their successors have been
19 appointed, except that assistant officers [~~the Assistant Secretary~~
20 ~~and the Assistant Treasurer~~], if such officers are appointed, shall
21 hold office at the pleasure of the Board. A quorum at all meetings
22 of the Board of Directors shall consist of not less than seven (7)
23 members. [~~A quorum at all meetings of the Executive Committee shall~~
24 ~~consist of not less than three (3) members.~~] Regular and special
25 meetings of the Board of Directors shall be held as provided by
26 general law and the bylaws, and notice of such meetings shall be
27 given as required by general law and the bylaws. [~~The Board shall~~

1 ~~meet periodically with the Texas Water Commission.]~~ All meetings
2 of the Board shall be open to the public.

3 SECTION 7. Chapter 276, Acts of the 45th Legislature,
4 Regular Session, 1937, is amended by adding Sections 13-a, 13-b,
5 13-c, and 13-d to read as follows:

6 Sec. 13-a. TRAINING FOR BOARD MEMBERS. (a) A person who is
7 elected or appointed to and qualifies for office as a member of the
8 Board may not vote, deliberate, or be counted as a member in
9 attendance at a meeting of the Board until the person completes a
10 training program that complies with this section.

11 (b) The training program must provide the person with
12 information regarding:

13 (1) the law governing the District's operations;

14 (2) the programs, functions, rules, and budget of the
15 District;

16 (3) the scope of and limitations on the rulemaking
17 authority of the Board;

18 (4) the results of the most recent formal audit of the
19 District;

20 (5) the requirements of:

21 (A) laws relating to open meetings, public
22 information, administrative procedure, and disclosing conflicts of
23 interest; and

24 (B) other laws applicable to members of the
25 governing body of a river authority in performing their duties; and

26 (6) any applicable ethics policies adopted by the
27 District or the Texas Ethics Commission.

1 (c) A person elected or appointed to the Board is entitled
2 to reimbursement for the travel expenses incurred in attending the
3 training program regardless of whether the attendance at the
4 program occurs before or after the person qualifies for office.

5 (d) The Manager of the District shall create a training
6 manual that includes the information required by Subsection (b) of
7 this section. The Manager of the District shall distribute a copy
8 of the training manual annually to each member of the Board. Each
9 member of the Board shall sign and submit to the Manager of the
10 District a statement acknowledging that the member received and
11 reviewed the training manual.

12 Sec. 13-b. POLICIES TO SEPARATE POLICY-MAKING AND STAFF
13 FUNCTIONS. The Board shall develop and implement policies that
14 clearly separate the policy-making responsibilities of the Board
15 and the management responsibilities of the Manager and the staff of
16 the District.

17 Sec. 13-c. PUBLIC TESTIMONY AT BOARD MEETINGS. The Board
18 shall develop and implement policies that provide the public with a
19 reasonable opportunity to appear before the Board and to speak on
20 any issue under the jurisdiction of the District.

21 Sec. 13-d. COMPLAINT INFORMATION REQUIREMENTS. (a) The
22 District shall maintain a system to promptly and efficiently act on
23 complaints filed with the District. The District shall maintain
24 information about parties to the complaint, the subject matter of
25 the complaint, a summary of the results of the review or
26 investigation of the complaint, and its disposition.

27 (b) The District shall make information available

1 describing its procedures for complaint investigation and
2 resolution.

3 (c) The District shall periodically notify the complaint
4 parties of the status of the complaint until final disposition
5 unless the notice would jeopardize an investigation.

6 SECTION 8. Section 14, Chapter 276, Acts of the 45th
7 Legislature, Regular Session, 1937, is amended to read as follows:

8 Sec. 14. POWERS OF THE BOARD AND EXECUTIVE COMMITTEE; BONDS
9 REQUIRED. The Board of Directors shall be responsible for the
10 management and control of all affairs of the District. In
11 connection therewith, the Board of Directors shall have the power:

12 (a) To exercise all the powers, rights, privileges and
13 functions conferred by law upon the District;

14 (b) To adopt all such bylaws as are not inconsistent with
15 the law[~~. The bylaws may provide for the designation by the Board~~
16 ~~of an Executive Committee of five (5) members upon whom the~~
17 ~~District's Manager may call for policy decisions and advice~~
18 ~~concerning matters which arise between meetings of the Board and~~
19 ~~which may authorize, on behalf of the District, the execution of any~~
20 ~~contract involving the expenditure of an amount no greater than~~
21 ~~Twenty Thousand Dollars (\$20,000)];~~

22 (c) To appoint and fix the salary of a Manager, who shall be
23 the chief executive officer of the District. The Manager shall
24 employ and supervise, subject to policies promulgated by the Board,
25 all employees, agents, accountants, attorneys, engineers and
26 others rendering professional services necessary and required to
27 accomplish the purposes of this Act. The Manager may execute, on

1 behalf of the District, without specific authorization of the
2 Board, any contract not subject to competitive bidding. The
3 Manager may execute on behalf of the District and with specific
4 authorization of the Board, any other contract.

5 Except as specifically provided elsewhere in this Act, all
6 the powers, rights, privileges and functions of the District may be
7 exercised by a majority of the membership of the Board [~~those~~
8 ~~Directors present at any meeting of the Board (or of the Executive~~
9 ~~Committee if the sum involved is no greater than Twenty Thousand~~
10 ~~Dollars (\$20,000) held in compliance with the provisions of the~~
11 ~~bylaws at which meeting there must be present a majority of the~~
12 ~~Board (or of the Executive Committee), constituting a quorum~~].

13 Said Board of Directors shall have all such additional powers
14 as may be conferred on this District by the other provisions of this
15 Act, Chapters 49 and 51, Water Code, and any other general law
16 applicable to river authorities or water control and improvement
17 districts [~~and said Chapter 25~~], and of said Article 16, Section 59,
18 of the Constitution of the State of Texas; provided, however, that
19 members of the Board shall be ineligible to engage in any
20 transaction for gain or profit with the District.

21 The Directors and all officers of the District who are not
22 Directors shall, within fifteen (15) days after their election or
23 appointment, file a good and sufficient bond with the Secretary of
24 the Board; the official bond of each Director and Officer shall be
25 in the sum of Five Thousand Dollars (\$5,000), shall be payable to
26 the District, shall be conditioned upon the faithful performance of
27 their duties as such Directors or Officers, and shall be subject to

1 approval by the Secretary of the Board.

2 SECTION 9. Chapter 276, Acts of the 45th Legislature,
3 Regular Session, 1937, is amended by adding Section 14-b to read as
4 follows:

5 Sec. 14-b. FISCAL YEAR. The District's fiscal year ends on
6 September 30 of each year.

7 SECTION 10. Section 15-a, Chapter 276, Acts of the 45th
8 Legislature, Regular Session, 1937, is amended to read as follows:

9 Sec. 15-a. TAXATION. Subject to the limitation as to the
10 maximum rate of tax as prescribed in this Section, the District may
11 levy and collect throughout the territory of the District such ad
12 valorem taxes as are voted at an election or elections called by the
13 Board for that purpose and conducted throughout the territory of
14 the District. The maximum rate of tax which can be levied and
15 collected for any year shall be two cents (2¢) on the One Hundred
16 Dollars (\$100) of taxable property based on its assessed valuation,
17 in accordance with the following conditions and procedures:

18 (a) The Board of Directors of the District may, by
19 ordinance, call an election to submit to the voters for approval
20 such taxation; provided that a public hearing to discuss the
21 proposed tax issue shall be held in each county in the District,
22 said public hearing to be held not less than ten (10) days nor more
23 than twenty-five (25) days prior to the scheduled date of any such
24 election, and said hearings shall be called by the Board of
25 Directors of the District and notice of the time, day, date, place
26 and purpose of said meeting shall be given by publishing said notice
27 in at least one (1) newspaper of general circulation in each county

1 where the meeting is to be held at least ten (10) days prior to such
2 hearing;

3 (b) ~~[Only qualified electors, owning taxable property~~
4 ~~within the boundaries of the District and who have duly rendered~~
5 ~~their property for taxation shall be entitled to vote in any such~~
6 ~~election. An elector otherwise qualified must vote in the county of~~
7 ~~his residence and at the polling place designated for the precinct~~
8 ~~of his residence.]~~ The order ~~[ordinance]~~ calling the election
9 shall specify the polling place or places in each of the several
10 counties. The notice of election will be sufficient as to any
11 county within the District if it states that the election is to be
12 held throughout the territory comprising the District and if it
13 specifies the polling place or places in such county. But it shall
14 not be necessary to publish such details except in the county in
15 which they are applicable;

16 (c) Returns of the election shall be made to the Board, and
17 the Board shall canvass the returns of the election and adopt an
18 ordinance declaring the results thereof. The Board may levy taxes
19 within the maximum rate thus voted if a majority of the votes cast
20 throughout the District are in favor of the levy of the tax and if a
21 majority of the votes cast in any three (3) counties in the District
22 are in favor of the levy of the tax;

23 (d) The rate of tax shall be uniform throughout the
24 territory comprising the District, and shall be certified by the
25 Chairman and the Secretary of the Board of Directors of the District
26 to the Tax Assessor and the Tax Collector of each included county;

27 (e) After an election has resulted favorably to the levy of

1 a tax, the Board of Directors may borrow money payable therefrom and
2 may evidence such loan by a negotiable note given in the name of the
3 District;

4 (f) Any taxes thus collected shall be used for the purpose
5 of general administration[~~, preparation of the Master Plan provided~~
6 ~~for in Section 4-a,~~] and for [~~other~~] planning and other services
7 with respect to any of the purposes, rights, privileges and
8 functions of the District; provided, however, that none of the
9 taxes thus collected shall be used to pay for or finance the
10 construction of any dams, reservoirs, levees, channels, pipelines
11 or other major physical works of the District, or pay for the cost
12 of any right-of-way acquisitions, or the expenses of right-of-way
13 acquisition, or damages awarded by any Court under Article 1,
14 Section 17, of the Constitution of the State of Texas. It is the
15 intent of this Act that any taxes thus collected will enable the
16 District to accomplish its purposes, including [~~develop a Master~~
17 ~~Plan for~~] the maximum development of the soil and water resources of
18 the District, it [~~is~~] being hereby found and determined that the
19 benefits to be realized from such maximum development can be
20 obtained only through area-wide participation and planning. It is
21 the intent of this Act that the construction of any dams,
22 reservoirs, levees, channels, pipelines or other major physical
23 works of the District shall be paid for or financed by revenue bonds
24 of the District to be redeemed either by the sale of services or by
25 taxes to be levied by a county or municipality and paid over to the
26 District as an independent contractor of said county or
27 municipality. It is likewise the intent of this Act that any taxes

1 thus collected may be used to pay for the operation, repair and/or
2 maintenance of any flood control, soil conservation, watershed
3 protection and/or erosion structures or works of improvement
4 constructed in cooperation with the Federal Government; provided,
5 however, that any such operation, repair and/or maintenance costs
6 shall be paid for out of taxes thus collected in the county in which
7 the particular structure or work of improvement is situated. It is
8 further the intent of this Act that the taxes authorized by this
9 Section 15-a thus collected shall not be pledged to the redemption
10 of any bonds of the District.

11 SECTION 11. Section 18(b), Chapter 276, Acts of the 45th
12 Legislature, Regular Session, 1937, is amended to read as follows:

13 (b) Disposition of Property. Nothing in this Act shall be
14 construed as authorizing the District, or any receiver of its
15 properties, or any court, to sell, lease or otherwise dispose of any
16 of its property of any kind, real, personal or mixed, or any
17 interest therein, unless such sale, lease or other disposition has
18 been generally authorized by this Act or a general law applicable to
19 the District; provided, however, that the District may sell or
20 otherwise dispose of any property of any kind or any interest in
21 property that is not necessary to carry on the business of the
22 Authority provided that the Board, by a majority vote of a quorum
23 present at any regular or special meeting, determines that the
24 property is not convenient to the business of the Authority and is
25 surplus. The Board shall cause a notice of such proposed sale to be
26 published once each week for two (2) [~~three (3)~~] consecutive weeks
27 in a newspaper of general circulation in the county or counties in

1 which said property or interest therein is situated if the
2 appraised value of said property or interest therein is in excess of
3 Five Thousand Dollars (\$5,000) and if the said property or interest
4 therein is not partial or total consideration in a transaction for
5 the exchange of properties.

6 SECTION 12. Sections 1(c), 4-a, and 14-a, Chapter 276, Acts
7 of the 45th Legislature, Regular Session, 1937, are repealed.

8 SECTION 13. (a) The change in law made by this Act to the
9 terms of the directors of the San Antonio River Authority applies
10 only to the term of a director who is appointed or elected on or
11 after the effective date of this Act.

12 (b) The two at-large director positions for Bexar County
13 shall be scheduled for election on the November uniform election
14 date in 2023. The person who receives the highest number of votes
15 shall be elected to the first at-large Bexar County director
16 position and shall serve a four-year term beginning January 1,
17 2024, and ending December 31, 2027. An election shall be scheduled
18 for that position on the November uniform election date in 2027 and
19 every four years thereafter. The person who receives the second
20 highest number of votes shall be elected to the second at-large
21 Bexar County director position and shall serve a two-year term
22 beginning January 1, 2024, and ending December 31, 2025. An
23 election shall be scheduled for that position on the November
24 uniform election date in 2025 and every four years thereafter for a
25 four-year term beginning on January 1 of the year following each
26 election.

27 (c) The at-large director position for Wilson County for

1 which an election was held, or scheduled to be held but canceled
2 because of an unopposed candidate, in November 2019 shall be
3 scheduled for election on the November uniform election date in
4 2023. The at-large director elected from Wilson County shall serve
5 a two-year term beginning January 1, 2024, and ending December 31,
6 2025. An election shall be scheduled for the position on the
7 November uniform election date in 2025 and every four years
8 thereafter for a four-year term beginning on January 1 of the year
9 following each election.

10 (d) The following director positions shall be scheduled for
11 election on the November uniform election date in 2025 and every
12 four years thereafter, and the directors elected to each position
13 shall serve four-year terms beginning January 1 of the year
14 following each election:

15 (1) the single-member district director elected from
16 Bexar County commissioners court precinct 1;

17 (2) the single-member district director elected from
18 Bexar County commissioners court precinct 2;

19 (3) the at-large director position for Karnes County
20 for which an election was held, or scheduled to be held but canceled
21 because of an unopposed candidate, in November 2019; and

22 (4) the at-large director position for Goliad County
23 for which an election was held, or scheduled to be held but canceled
24 because of an unopposed candidate, in November 2019.

25 (e) The following director positions shall be scheduled for
26 election on the November uniform election date in 2027 and every
27 four years thereafter, and the directors elected to those director

1 positions shall serve four-year terms beginning January 1 of the
2 year following each election:

3 (1) the single-member district director elected from
4 Bexar County commissioners court precinct 3;

5 (2) the single-member district director elected from
6 Bexar County commissioners court precinct 4;

7 (3) the at-large director position for Karnes County
8 for which an election was held, or scheduled to be held but canceled
9 because of an unopposed candidate, in November 2021;

10 (4) the at-large director position for Goliad County
11 for which an election was held, or scheduled to be held but canceled
12 because of an unopposed candidate, in November 2021; and

13 (5) the at-large director position for Wilson County
14 for which an election was held, or scheduled to be held but canceled
15 because of an unopposed candidate, in November 2021.

16 (f) The members of the board of directors serving in the
17 director positions described by Subsections (b), (c), (d), and (e)
18 of this section on the effective date of this Act shall continue to
19 serve until their successors have been elected and qualified.

20 (g) Notwithstanding Section 13-a, Chapter 276, Acts of the
21 45th Legislature, Regular Session, 1937, as added by this Act, a
22 person serving on the board of directors of the district may vote,
23 deliberate, and be counted as a director in attendance at a meeting
24 of the board until December 1, 2023.

25 SECTION 14. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and Act to the Texas Commission on
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this Act with the governor, the
10 lieutenant governor, and the speaker of the house of
11 representatives within the required time.

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act are fulfilled
15 and accomplished.

16 SECTION 15. (a) Except as provided by Subsection (b) of
17 this section, this Act takes effect immediately if it receives a
18 vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.

22 (b) Section 14-b, Chapter 276, Acts of the 45th Legislature,
23 Regular Session, 1937, as added by this Act, takes effect January 1,
24 2025.