

By: Alvarado  
(Perez of Harris)

S.B. No. 2080

Substitute the following for S.B. No. 2080:

By: Craddick

C.S.S.B. No. 2080

A BILL TO BE ENTITLED

AN ACT

relating to various matters pertaining to certain governmental entities that operate port facilities.

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

SECTION 1. Subchapter J, Chapter 441, Government Code, is amended by adding Section 441.1681 to read as follows:

Sec. 441.1681. ELECTRONIC STORAGE OF CERTAIN LOCAL GOVERNMENT RECORDS. (a) The port commission of a navigation district or port authority or a board of trustees established under Chapter 54, Transportation Code, may establish alternative storage and retention standards and procedures for the records of the navigation district, port authority, or board of trustees. The rules must establish:

(1) a process for the port commission or board of trustees to use the alternative storage standards and procedures;

(2) procedures for the conversion of hard copy documents retained by the custodian of the navigation district, port authority, or board of trustees to an electronic form and the destruction of the hard copy documents; and

(3) standards for electronic record management and the preservation of documents retained by the custodian of the navigation district, port authority, or board of trustees.

(b) In establishing the standards and procedures under this section, a port commission or board of trustees may not establish a

retention period that is shorter than a retention period required under a state or federal law or court order.

SECTION 2. Section 2252.909(a), Government Code, as added by Chapter 1008 (H.B. 2518), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(a) In this section, "governmental entity" has the meaning assigned by Section 2253.001, except that the term does not include a:

- (1) navigation district;
- (2) port authority; or
- (3) board of trustees established under Chapter 54, Transportation Code.

SECTION 3. Subchapter B, Chapter 5007, Special District Local Laws Code, is amended by adding Section 5007.229 to read as follows:

Sec. 5007.229. CONTRACTS: CERTAIN PURCHASES. Notwithstanding Section 60.403(a), Water Code, the port commission may delegate authority to an authorized designated officer of the port commission, the executive director of the authority, or an authorized representative of the executive director to make routine purchases or contracts in an amount not to exceed \$500,000.

SECTION 4. Section 54.005, Transportation Code, is amended to read as follows:

Sec. 54.005. APPLICABILITY OF OTHER LAW. (a) Except to the extent that it conflicts or is inconsistent with this chapter, Subchapter B, Chapter 1502, Government Code, applies to revenue obligations issued under this chapter, and a municipality to which

1 this chapter applies has, with respect to a revenue obligation  
2 issued under this chapter, each power granted by that subchapter.

3 (b) A qualifying interest is considered to be an interest in  
4 property used as an aid or facility incidental to or useful in the  
5 operation or development of a port or waterway or in aid of  
6 navigation-related commerce for purposes of Section 25.07, Tax  
7 Code, and the qualifying interest may not be listed in the name of  
8 the owner of the qualifying interest in the appraisal records of the  
9 appraisal district that appraises the property to which the  
10 interest relates as provided by that section. To the extent of any  
11 conflict with Section 25.07, Tax Code, this section controls with  
12 respect to a qualifying interest.

13 (c) For purposes of Subsection (b), "qualifying interest"  
14 means a leasehold or other possessory interest in real property  
15 that is:

16 (1) managed or controlled by:

17 (A) the governing body of a municipality; or

18 (B) a board; and

19 (2) established by a lease or other agreement  
20 authorized by Section 54.003 or 54.053.

21 SECTION 5. Section 54.054, Transportation Code, is amended  
22 by amending Subsection (a) and adding Subsections (c) and (d) to  
23 read as follows:

24 (a) Except for routine purchases and contracts and as  
25 otherwise provided by this chapter, the board may award a contract  
26 involving the expenditure of funds in excess of the amount  
27 applicable to an expenditure of funds by a municipality under

Section 252.021(a), Local Government Code, only by competitive bidding.

(c) The board, an authorized designated officer of the board, the general manager employed by the board, or an authorized representative of the general manager may make routine purchases or contracts in an amount not to exceed \$50,000. The board may delegate authority to an authorized designated officer of the board, the general manager employed by the board, or an authorized representative of the general manager to make routine purchases or contracts under this section in an amount not to exceed \$500,000.

(d) Professional services shall be procured in accordance with Subchapter A, Chapter 2254, Government Code.

SECTION 6. Subchapter Q, Chapter 60, Water Code, is amended by adding Section 60.503 to read as follows:

Sec. 60.503. CLOSED MEETINGS. Notwithstanding Section 551.103, Government Code, a port commission is not required to make a recording of the proceedings of a closed meeting to deliberate security measures, including cybersecurity measures, related to the navigation district or port authority.

SECTION 7. This Act takes effect September 1, 2025.