

By: Alvarado

S.B. No. 2080

A BILL TO BE ENTITLED

AN ACT

relating to the records, management, and taxation of navigation districts and certain port and harbor 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 governing body of a navigation district or port authority, or a board of trustees described by Chapter 54, Transportation Code, may establish alternative storage and retention standards and procedures for records of a navigation district, port authority, or board of trustees. The rules must establish:

(1) a process for the port commission of a navigation district or port authority, or a board of trustees described by Chapter 54, Transportation Code, 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 described by Chapter 54, Transportation Code, to an electronic form and the destruction of the hard copy documents; and

(3) standards for electronic record management and preservation of documents retained by the custodian of the

1 navigation district, port authority, or board of trustees described
2 by Chapter 54, Transportation Code.

3 (b) The standards and procedures under this section may not
4 establish a retention period that is shorter than a retention
5 period prescribed by a state or federal law, regulation, or rule of
6 court.

7 SECTION 2. Subchapter Q, Chapter 60, Water Code, is amended
8 by adding Section 60.503 to read as follows:

9 Sec. 60.503. CLOSED MEETINGS. Notwithstanding Section
10 551.103, Government Code, a port commission is not required to make
11 a recording of the proceedings of a closed meeting to deliberate
12 security measures, including cybersecurity measures, related to
13 the navigation district or port authority.

14 SECTION 3. Section 60.403(a), Water Code, is amended to
15 read as follows:

16 (a) A port commission, an authorized designated officer of
17 the port commission, the executive director of the district or the
18 port authority, or an authorized representative of the executive
19 director may make routine purchases or contracts in an amount not to
20 exceed \$50,000. A port commission may delegate authority to an
21 authorized designated officer of the port commission, the executive
22 director of the district or the port authority, or an authorized
23 representative of the executive director to make routine purchases
24 or contracts in an amount not to exceed \$500,000, which shall be
25 deemed the amount provided for under this chapter for routine
26 purchases or contracts authorized for the district or port
27 authority [~~\$100,000~~].

SECTION 4. 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 described by Chapter 54, Transportation Code.

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

(a) Except for routine purchases and contracts and except as otherwise provided by this chapter, the board may award a contract involving the expenditure of funds in excess of the amount applicable to an expenditure of funds by a municipality under Section 252.021(a), Local Government Code, only by competitive bidding.

(c) The board, authorized designated officers of the board, the general manager or port director, or authorized representatives of the general manager or port director may make routine purchases or contracts in an amount not to exceed \$50,000. A board may delegate authority to authorized designated officers of the board, the general manager or port director, and authorized representatives of the general manager or port director to make routine purchases or contracts in an amount not to exceed \$500,000,

1 which shall be deemed the amount provided for under this section for
2 routine purchases or contracts.

3 SECTION 6. Section 25.07(e), Tax Code, is amended to read as
4 follows:

5 (e) In this section, "navigation-related commerce" includes
6 the following if engaged in by a person:

7 (1) an activity that requires the person to hold a
8 maritime-related license or permit issued by a navigation district,
9 including providing stevedoring, steamship agency, towing,
10 tugboat, or line handling services;

11 (2) an activity that requires the person to hold a
12 franchise issued by a navigation district;

13 (3) possessing a leasehold interest in property ~~owned~~
14 ~~by a navigation district~~ that:

15 (A) connects infrastructure to a public dock; and

16 (B) is:

17 (i) owned by a navigation district; or

18 (ii) managed and controlled by a board of
19 trustees described by Chapter 54, Transportation Code;

20 (4) hauling cargo into or across a public dock;

21 (5) commercial fishing;

22 (6) constructing, fabricating, cleaning, repairing,
23 dismantling, or recycling vessels;

24 (7) pilotage; ~~or~~

25 (8) an activity described by Section 60.101, 61.162,
26 or 63.153, Water Code;

27 (9) operating a cruise ship terminal facility; or

1 (10) an activity described by Section [54.003](#) or
2 [54.053](#), Transportation Code.

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