

By: Birdwell

S.B. No. 3074

A BILL TO BE ENTITLED

AN ACT

relating to communications between the Texas Commission on Environmental Quality and the governor, the lieutenant governor, or a member of the legislature.

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

SECTION 1. Subchapter E, Chapter 5, Water Code, is amended by adding Section 5.180 to read as follows:

Sec. 5.180. COMMUNICATIONS WITH CERTAIN GOVERNMENT OFFICIALS. (a) In this section, "communicate" means a statement, correspondence, or any other form of oral, written, or electronic communication.

(b) Notwithstanding any other law, the governor, the lieutenant governor, or a member of the legislature may communicate with a commission official or employee concerning any matter before the commission. A commission official or employee who receives a communication under this section is not required to be recused from the matter discussed in the communication.

(c) The commission official or employee shall receive a communication described by Subsection (b).

(d) If the commission receives written communication described by Subsection (b), the commission shall include in the record of the matter before the commission a copy of the written communication.

(e) If the commission receives a communication described by

1 Subsection (b), the commission shall provide for any party subject
2 to the matter discussed in the communication an opportunity to
3 respond to the communication.

4 (f) An individual may not communicate with a commission
5 official or employee under Subsection (b) concerning a matter that
6 affects a business entity in which the individual has a substantial
7 interest or in which a person related to the individual within the
8 first degree of consanguinity has a substantial interest, as
9 determined by Section 572.005, Government Code.

10 SECTION 2. This Act takes effect September 1, 2025.