

By: Estes

S.B. No. 1163

A BILL TO BE ENTITLED

AN ACT

relating to definitions applicable to the watershed of and the size of the board of directors of the Brazos River Authority.

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

SECTION 1. Section 221.002, Water Code, is amended by adding Subdivisions (4), (5), and (6) to read as follows:

(4) "Upper basin" means all or part of the following counties in the watershed of the Brazos River, as determined by rule of the Texas Water Development Board: Parmer, Bailey, Cochran, Castro, Lamb, Hockley, Swisher, Hale, Lubbock, Terry, Lynn, Dawson, Borden, Garza, Crosby, Floyd, Dickens, Kent, Scurry, Nolan, Fisher, Stonewall, King, Knox, Haskell, Jones, Taylor, Callahan, Shackelford, Throckmorton, Baylor, Archer, Young, Stephens, Eastland, Palo Pinto, Jack, Parker, Hood, and Johnson.

(5) "Central basin" means all or part of the following counties in the watershed of the Brazos River, as determined by rule of the Texas Water Development Board: Comanche, Brown, Erath, Somervell, Hill, Bosque, Hamilton, Mills, Lampasas, Coryell, McLennan, Falls, Bell, Burnet, and Williamson.

(6) "Lower basin" means all or part of the following counties in the watershed of the Brazos River as determined by rule of the Texas Water Development Board: Limestone, Robertson, Milam, Lee, Bastrop, Burleson, Brazos, Grimes, Washington, Austin, Waller, Fort Bend, and Brazoria. The lower basin does not include

1 the portions of the watershed lying in Freestone, Leon, and Madison
2 Counties.

3 SECTION 2. Section 221.009, Water Code, is amended by
4 amending Subsections (a) and (d) and adding Subsections (f) and
5 (f-1) to read as follows:

6 (a) Except as provided by Subsection (f), the [The] board
7 consists of nine [21] members. Members of the board and their
8 successors serve staggered terms of six years and until their
9 successors are designated and have qualified. Except as provided
10 by Subsection (f), the [The] terms of three [seven] members of the
11 board expire on February 1 of each odd-numbered year.

12 (d) Except as provided by Subsection (f), five [Eleven]
13 members of the board constitute a quorum to transact business.

14 (f) This subsection provides for the gradual and orderly
15 reduction in the number of directors serving on the board from 21 in
16 2007 to 9 in 2013. A director serving on the board on September 1,
17 2007, shall continue to serve for the director's unexpired term.
18 During the transition from 21 to 9 directors, a majority of the
19 total number of members of the board constitutes a quorum to
20 transact business. The governor:

21 (1) on, or as soon as possible after, February 1, 2009,
22 shall appoint only three persons to the board for terms to expire
23 February 1, 2015, to replace the directors whose terms expire
24 February 1, 2009;

25 (2) on, or as soon as possible after, February 1, 2011,
26 shall appoint only three members to the board for terms to expire
27 February 1, 2017, to replace the directors whose terms expire

1 February 1, 2011; and

2 (3) on, or as soon as possible after, February 1, 2013,
3 shall appoint only three members to the board for terms to expire
4 February 1, 2019, to replace the directors whose terms expire
5 February 1, 2013.

6 (f-1) Subsection (f) and this subsection expire September
7 1, 2013.

8 SECTION 3. This Act takes effect September 1, 2007.