

BILL ANALYSIS

Senate Research Center

S.B. 281
By: Estes
Natural Resources
7/23/2013
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Red River Authority (RRA) was created in 1959 by the 56th Legislature with the mission of conservation, reclamation, protection, and development of the water resources throughout the Red River Basin for the benefit of the public. RRA provides potable drinking water for approximately 10,000 people in 15 counties but there is no surface water left to develop within the rural areas of RRA. For this reason RRA would like to develop groundwater resources, a common trend for river authorities in Texas.

RRA's territorial jurisdiction encompasses all or part of 43 Texas counties within the watershed of the Red River and its tributaries. Considering that RRA's jurisdictional territory is so large, the nine-member board would like to hold meetings by telephone conference call, videoconference call, or through communications over the Internet. The ability to meet via these means is permitted with other large river authorities and would be a cost-effective tool for RRA.

This legislation allows RRA to develop groundwater and to hold meetings by alternative means such as videoconference call or telephone conference call.

S.B. 281 amends current law relating to the administration and powers of the Red River Authority of Texas.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, by adding Section 7a, as follows:

Sec. 7a. Authorizes the Red River Authority of Texas board of directors (RRA) (board) or a board committee to hold a meeting by telephone conference call, by video conference call, or through communications over the Internet, in accordance with procedures provided by Subchapter F (Meetings Using Telephone, Videoconference, or Internet), Chapter 551, Government Code, if holding the meeting in that way is determined to be necessary or convenient by the board president or any three board members.

SECTION 2. Amends Section 19, Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, to include the acquisition surface water rights, groundwater rights, if purchased, as provided by Section 19a to the list of certain functions, powers, authorities, rights, and duties granted to RRA to permit the accomplishment of the purposes for which it is created.

SECTION 3. Amends Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, by adding Section 19a, as follows:

Sec. 19a. Authorizes RRA to purchase groundwater rights in a county in RRA's territory only if there is a groundwater conservation district that has jurisdiction over water wells

located in the county, or in the case where a county is not in the jurisdiction of a groundwater conservation district, the commissioners court of the county approves the purchase of groundwater rights by RRA in the county.

SECTION 4. Amends Section 25, Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, as follows:

Sec. 25. Provides that nothing in this Act shall be construed as authorizing RRA to acquire or regulate underground water or underground water rights by condemnation or regulate the use of underground water resources in any manner, rather than providing that nothing in this Act shall be construed as authorizing RRA to acquire, regulate or control in any way underground water or underground water rights by condemnation or purchase or otherwise to develop, regulate or control the use of underground water resources in any manner. Deletes existing text providing that this Act is intended to govern and shall be construed to govern and apply to surface water only.

SECTION 5. Effective date: September 1, 2013.