

By: Howard

H.B. No. 589

A BILL TO BE ENTITLED

AN ACT

relating to the Lower Colorado River Authority.

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

SECTION 1. Chapter 8503, Special District Local Laws Code, is amended by adding Section 8503.0031 to read as follows:

Sec. 8503.0031. APPLICATION OF SUNSET ACT. (a) The authority is subject to review under Chapter 325, Government Code (Texas Sunset Act), as if it were a state agency but is not abolished under that chapter.

(b) The authority shall be reviewed during the period in which state agencies scheduled to be reviewed or abolished in 2015 and every 12th year after that year are reviewed.

(c) The authority shall pay the cost incurred by the Sunset Advisory Commission in performing a review of the authority under this section. The Sunset Advisory Commission shall determine the cost, and the authority shall pay the amount promptly on receipt of a statement from the Sunset Advisory Commission detailing the cost.

SECTION 2. Sections 8503.006(a), (c), (f), (g), and (h), Special District Local Laws Code, are amended to read as follows:

(a) The powers, rights, privileges, and functions of the authority shall be exercised by the board. The board shall consist of 15 directors appointed as follows:

(1) the commissioners court of each county named in Section 8503.003 shall appoint one director from that county; and

1 (2) the governor, with the advice and consent of the
2 senate, shall appoint:

3 (A) one director from Travis County;

4 (B) one director from the counties named in
5 Section 8503.003 other than Travis County; and

6 (C) three directors [~~and shall include at least~~
7 ~~one director from each of the counties named in Section 8503.003~~
8 ~~except Travis County, which shall have two directors. Three~~
9 ~~directors shall be appointed]~~ at large from the counties served
10 with electric power, other than the counties named [~~included~~] in
11 Section 8503.003.

12 (c) All directors shall be appointed [~~by the governor with~~
13 ~~the advice and consent of the senate]~~ for staggered terms of six
14 years, with five directors' [~~members'~~] terms expiring on February 1
15 of each odd-numbered year.

16 (f) At the expiration of the term of a director, a successor
17 shall be appointed in the manner provided by this section [~~by the~~
18 ~~governor with the advice and consent of the senate)]. Each director
19 shall hold office until the expiration of the term for which the
20 director was appointed and until a successor has been appointed and
21 has qualified, unless removed sooner as provided by this section.~~

22 (g) The entity that appointed a director may remove the [A]
23 director [~~may be removed by the governor~~] for inefficiency, neglect
24 of duty, or misconduct in office after at least 30 days' written
25 notice of the charges against the director and an opportunity to be
26 heard in person or by counsel at a public hearing.

27 (h) A [~~The governor shall appoint a person to fill a~~]

1 vacancy on the board shall be filled for the unexpired term in the
2 manner provided by this section for the original appointment.

3 SECTION 3. Section 8503.007(a), Special District Local Laws
4 Code, is amended to read as follows:

5 (a) The board shall elect one of their number [~~governor~~
6 ~~shall designate a director~~] as the presiding officer of the board
7 and [~~to serve in that capacity at the pleasure of the governor. The~~
8 ~~board shall elect~~] one of their number as an assistant presiding
9 officer.

10 SECTION 4. Chapter 8503, Special District Local Laws Code,
11 is amended by adding Section 8503.032 to read as follows:

12 Sec. 8503.032. WATER PRESSURE SAFETY STANDARDS. In
13 accordance with commission rules for public water systems, the
14 authority shall ensure that for any area in which the authority owns
15 or operates the local water supply system, the water pressure for
16 service to fire hydrants in the area is adequate to protect public
17 safety.

18 SECTION 5. (a) The change in law made by this Act does not
19 affect the term of a member of the board of directors of the Lower
20 Colorado River Authority serving on the effective date of this Act.
21 Members appointed to fill vacancies occurring on or after the
22 effective date of this Act must be appointed in accordance with
23 Section 8503.006, Special District Local Laws Code, as amended by
24 this Act.

25 (b) The change in law made by this Act does not prohibit a
26 person who is a member of the Lower Colorado River Authority board
27 of directors before the effective date of this Act from being

1 appointed as a member of the board of directors under the new
2 composition of the board of directors if the person has the
3 qualifications required for the position under Section 8503.006,
4 Special District Local Laws Code, as amended by this Act.

5 SECTION 6. (a) The legal notice of the intention to
6 introduce this Act, setting forth the general substance of this
7 Act, has been published as provided by law, and the notice and a
8 copy of this Act have been furnished to all persons, agencies,
9 officials, or entities to which they are required to be furnished
10 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
11 Government Code.

12 (b) The governor, one of the required recipients, has
13 submitted the notice and Act to the Texas Commission on
14 Environmental Quality.

15 (c) The Texas Commission on Environmental Quality has filed
16 its recommendations relating to this Act with the governor, the
17 lieutenant governor, and the speaker of the house of
18 representatives within the required time.

19 (d) All requirements of the constitution and laws of this
20 state and the rules and procedures of the legislature with respect
21 to the notice, introduction, and passage of this Act are fulfilled
22 and accomplished.

23 SECTION 7. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2013.