

By: Keffer, Howard

H.B. No. 1290

A BILL TO BE ENTITLED

AN ACT

relating to the sunset review of river authorities.

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

SECTION 1. SUNSET ACT. Chapter 325, Government Code, is amended by adding Section 325.025 to read as follows:

Sec. 325.025. RIVER AUTHORITIES SUBJECT TO REVIEW. (a) A river authority listed in Subsection (b) is subject to a limited review under this chapter as if it were a state agency but may not be abolished.

(b) This section applies to the:

(1) Angelina and Neches River Authority;

(2) Bandera County River Authority and Groundwater District;

(3) Brazos River Authority;

(4) Central Colorado River Authority;

(5) Guadalupe-Blanco River Authority;

(6) Lavaca-Navidad River Authority;

(7) Lower Colorado River Authority;

(8) Lower Neches Valley Authority;

(9) Nueces River Authority;

(10) Palo Duro River Authority;

(11) Red River Authority of Texas;

(12) Sabine River Authority of Texas;

(13) San Antonio River Authority;

- 1 (14) San Jacinto River Authority;
- 2 (15) Sulphur River Basin Authority;
- 3 (16) Trinity River Authority of Texas;
- 4 (17) Upper Colorado River Authority; and
- 5 (18) Upper Guadalupe River Authority.

6 (c) The limited review under this chapter must assess each
7 river authority's:

- 8 (1) governance;
- 9 (2) management;
- 10 (3) operating structure; and
- 11 (4) compliance with legislative requirements.

12 (d) A river authority shall pay the cost incurred by the
13 commission in performing a review of the authority under this
14 section. The commission shall determine the cost, and the
15 authority shall pay the amount promptly on receipt of a statement
16 from the commission detailing the cost.

17 (e) A river authority reviewed by the commission under this
18 section may not be required to conduct a management audit under
19 Chapter 292, Title 30, Texas Administrative Code.

20 SECTION 2. ANGELINA AND NECHES RIVER AUTHORITY. Subchapter
21 A, Chapter 8501, Special District Local Laws Code, is amended by
22 adding Section 8501.0015 to read as follows:

23 Sec. 8501.0015. APPLICATION OF SUNSET ACT. (a) The
24 authority is subject to review under Chapter 325, Government Code
25 (Texas Sunset Act), but may not be abolished under that chapter.
26 The review shall be conducted under Section 325.025, Government
27 Code, as if the authority were a state agency scheduled to be

1 abolished September 1, 2019, and every 12th year after that year.

2 (b) The authority shall pay the cost incurred by the Sunset
3 Advisory Commission in performing the review. The Sunset Advisory
4 Commission shall determine the cost, and the authority shall pay
5 the amount promptly on receipt of a statement from the Sunset
6 Advisory Commission detailing the cost.

7 SECTION 3. BANDERA COUNTY RIVER AUTHORITY AND GROUNDWATER
8 DISTRICT. Chapter 629, Acts of the 62nd Legislature, Regular
9 Session, 1971, is amended by adding Section 1A to read as follows:

10 Sec. 1A. (a) The district is subject to review under Chapter
11 325, Government Code (Texas Sunset Act), but may not be abolished
12 under that chapter. The review shall be conducted under Section
13 325.025, Government Code, as if the district were a state agency
14 scheduled to be abolished September 1, 2023, and every 12th year
15 after that year.

16 (b) The district shall pay the cost incurred by the Sunset
17 Advisory Commission in performing the review. The Sunset Advisory
18 Commission shall determine the cost, and the district shall pay the
19 amount promptly on receipt of a statement from the Sunset Advisory
20 Commission detailing the cost.

21 SECTION 4. CENTRAL COLORADO RIVER AUTHORITY. Subchapter A,
22 Chapter 8505, Special District Local Laws Code, is amended by
23 adding Section 8505.0021 to read as follows:

24 Sec. 8505.0021. APPLICATION OF SUNSET ACT. (a) The
25 authority is subject to review under Chapter 325, Government Code
26 (Texas Sunset Act), but may not be abolished under that chapter.
27 The review shall be conducted under Section 325.025, Government

1 Code, as if the authority were a state agency scheduled to be
2 abolished September 1, 2017, and every 12th year after that year.

3 (b) The authority shall pay the cost incurred by the Sunset
4 Advisory Commission in performing the review. The Sunset Advisory
5 Commission shall determine the cost, and the authority shall pay
6 the amount promptly on receipt of a statement from the Sunset
7 Advisory Commission detailing the cost.

8 SECTION 5. GUADALUPE-BLANCO RIVER AUTHORITY. Chapter 75,
9 Acts of the 43rd Legislature, 1st Called Session, 1933, is amended
10 by adding Section 1A to read as follows:

11 Sec. 1A. (a) The District is subject to review under Chapter
12 325, Government Code (Texas Sunset Act), but may not be abolished
13 under that chapter. The review shall be conducted under Section
14 325.025, Government Code, as if the District were a state agency
15 scheduled to be abolished September 1, 2017, and every 12th year
16 after that year.

17 (b) The District shall pay the cost incurred by the Sunset
18 Advisory Commission in performing the review. The Sunset Advisory
19 Commission shall determine the cost, and the District shall pay the
20 amount promptly on receipt of a statement from the Sunset Advisory
21 Commission detailing the cost.

22 SECTION 6. LAVACA-NAVIDAD RIVER AUTHORITY. Chapter 186,
23 Acts of the 50th Legislature, Regular Session, 1947, is amended by
24 adding Section 1A to read as follows:

25 Sec. 1A. (a) The District is subject to review under Chapter
26 325, Government Code (Texas Sunset Act), but may not be abolished
27 under that chapter. The review shall be conducted under Section

1 325.025, Government Code, as if the District were a state agency
2 scheduled to be abolished September 1, 2019, and every 12th year
3 after that year.

4 (b) The District shall pay the cost incurred by the Sunset
5 Advisory Commission in performing the review. The Sunset Advisory
6 Commission shall determine the cost, and the District shall pay the
7 amount promptly on receipt of a statement from the Sunset Advisory
8 Commission detailing the cost.

9 SECTION 7. LOWER COLORADO RIVER AUTHORITY. Chapter 8503,
10 Special District Local Laws Code, is amended by adding Section
11 8503.0021 to read as follows:

12 Sec. 8503.0021. APPLICATION OF SUNSET ACT. (a) The
13 authority is subject to review under Chapter 325, Government Code
14 (Texas Sunset Act), but may not be abolished under that chapter.
15 The review shall not include the management of the generation or
16 transmission of electricity under the wholesale electricity
17 operation of the authority and the authority's affiliated nonprofit
18 corporations. The review shall be conducted under Section 325.025,
19 Government Code, as if the authority were a state agency scheduled
20 to be abolished September 1, 2019, and every 12th year after that
21 year.

22 (b) The authority shall pay the cost incurred by the Sunset
23 Advisory Commission in performing the review. The Sunset Advisory
24 Commission shall determine the cost, and the authority shall pay
25 the amount promptly on receipt of a statement from the Sunset
26 Advisory Commission detailing the cost.

27 SECTION 8. LOWER NECHES VALLEY AUTHORITY. Subchapter A,

1 Chapter 8504, Special District Local Laws Code, is amended by
2 adding Section 8504.0021 to read as follows:

3 Sec. 8504.0021. APPLICATION OF SUNSET ACT. (a) The
4 authority is subject to review under Chapter 325, Government Code
5 (Texas Sunset Act), but may not be abolished under that chapter.
6 The review shall be conducted under Section 325.025, Government
7 Code, as if the authority were a state agency scheduled to be
8 abolished September 1, 2019, and every 12th year after that year.

9 (b) The authority shall pay the cost incurred by the Sunset
10 Advisory Commission in performing the review. The Sunset Advisory
11 Commission shall determine the cost, and the authority shall pay
12 the amount promptly on receipt of a statement from the Sunset
13 Advisory Commission detailing the cost.

14 SECTION 9. NUECES RIVER AUTHORITY. Chapter 427, Acts of the
15 44th Legislature, 1st Called Session, 1935, is amended by adding
16 Section 1.02A to read as follows:

17 Sec. 1.02A. APPLICATION OF SUNSET ACT. (a) The authority
18 is subject to review under Chapter 325, Government Code (Texas
19 Sunset Act), but may not be abolished under that chapter. The
20 review shall be conducted under Section 325.025, Government Code,
21 as if the authority were a state agency scheduled to be abolished
22 September 1, 2019, and every 12th year after that year.

23 (b) The authority shall pay the cost incurred by the Sunset
24 Advisory Commission in performing the review. The Sunset Advisory
25 Commission shall determine the cost, and the authority shall pay
26 the amount promptly on receipt of a statement from the Sunset
27 Advisory Commission detailing the cost.

1 SECTION 10. PALO DURO RIVER AUTHORITY. Chapter 438, Acts of
2 the 63rd Legislature, Regular Session, 1973, is amended by adding
3 Section 1A to read as follows:

4 Sec. 1A. (a) The Authority is subject to review under
5 Chapter 325, Government Code (Texas Sunset Act), but may not be
6 abolished under that chapter. The review shall be conducted under
7 Section 325.025, Government Code, as if the Authority were a state
8 agency scheduled to be abolished September 1, 2021, and every 12th
9 year after that year.

10 (b) The Authority shall pay the cost incurred by the Sunset
11 Advisory Commission in performing the review. The Sunset Advisory
12 Commission shall determine the cost, and the Authority shall pay
13 the amount promptly on receipt of a statement from the Sunset
14 Advisory Commission detailing the cost.

15 SECTION 11. RED RIVER AUTHORITY OF TEXAS. Chapter 279, Acts
16 of the 56th Legislature, Regular Session, 1959, is amended by
17 adding Section 1A to read as follows:

18 Sec. 1A. (a) The Authority is subject to review under
19 Chapter 325, Government Code (Texas Sunset Act), but may not be
20 abolished under that chapter. The review shall be conducted under
21 Section 325.025, Government Code, as if the Authority were a state
22 agency scheduled to be abolished September 1, 2021, and every 12th
23 year after that year.

24 (b) The Authority shall pay the cost incurred by the Sunset
25 Advisory Commission in performing the review. The Sunset Advisory
26 Commission shall determine the cost, and the Authority shall pay
27 the amount promptly on receipt of a statement from the Sunset

1 Advisory Commission detailing the cost.

2 SECTION 12. SABINE RIVER AUTHORITY OF TEXAS. Chapter 110,
3 Acts of the 51st Legislature, Regular Session, 1949, is amended by
4 adding Section 2A to read as follows:

5 Sec. 2A. (a) The district is subject to review under Chapter
6 325, Government Code (Texas Sunset Act), but may not be abolished
7 under that chapter. The review shall be conducted under Section
8 325.025, Government Code, as if the district were a state agency
9 scheduled to be abolished September 1, 2021, and every 12th year
10 after that year.

11 (b) The district shall pay the cost incurred by the Sunset
12 Advisory Commission in performing the review. The Sunset Advisory
13 Commission shall determine the cost, and the district shall pay the
14 amount promptly on receipt of a statement from the Sunset Advisory
15 Commission detailing the cost.

16 SECTION 13. BRAZOS RIVER AUTHORITY. Chapter 8502, Special
17 District Local Laws Code, is amended by adding Section 8502.0021 to
18 read as follows:

19 Sec. 8502.0021. APPLICATION OF SUNSET ACT. (a) The
20 authority is subject to review under Chapter 325, Government Code
21 (Texas Sunset Act), but may not be abolished under that chapter.
22 The review shall be conducted under Section 325.025, Government
23 Code, as if the authority were a state agency scheduled to be
24 abolished September 1, 2017, and every 12th year after that year.

25 (b) The authority shall pay the cost incurred by the Sunset
26 Advisory Commission in performing the review. The Sunset Advisory
27 Commission shall determine the cost, and the authority shall pay

1 the amount promptly on receipt of a statement from the Sunset
2 Advisory Commission detailing the cost.

3 SECTION 14. SAN ANTONIO RIVER AUTHORITY. Chapter 276, Acts
4 of the 45th Legislature, Regular Session, 1937, is amended by
5 adding Section 1-a to read as follows:

6 Sec. 1-a. APPLICATION OF SUNSET ACT. (a) The District is
7 subject to review under Chapter 325, Government Code (Texas Sunset
8 Act), but may not be abolished under that chapter. The review shall
9 be conducted under Section 325.025, Government Code, as if the
10 District were a state agency scheduled to be abolished September 1,
11 2023, and every 12th year after that year.

12 (b) The District shall pay the cost incurred by the Sunset
13 Advisory Commission in performing the review. The Sunset Advisory
14 Commission shall determine the cost, and the District shall pay the
15 amount promptly on receipt of a statement from the Sunset Advisory
16 Commission detailing the cost.

17 SECTION 15. SAN JACINTO RIVER AUTHORITY. Chapter 426, Acts
18 of the 45th Legislature, Regular Session, 1937, is amended by
19 adding Section 1A to read as follows:

20 Sec. 1A. (a) The District is subject to review under Chapter
21 325, Government Code (Texas Sunset Act), but may not be abolished
22 under that chapter. The review shall be conducted under Section
23 325.025, Government Code, as if the District were a state agency
24 scheduled to be abolished September 1, 2023, and every 12th year
25 after that year.

26 (b) The District shall pay the cost incurred by the Sunset
27 Advisory Commission in performing the review. The Sunset Advisory

1 Commission shall determine the cost, and the District shall pay the
2 amount promptly on receipt of a statement from the Sunset Advisory
3 Commission detailing the cost.

4 SECTION 16. SULPHUR RIVER BASIN AUTHORITY. Sections 1A(a)
5 and (c), Chapter 3, Acts of the 69th Legislature, 1st Called
6 Session, 1985, are amended to read as follows:

7 (a) The authority is subject to review under Chapter 325,
8 Government Code (Texas Sunset Act), but may not be abolished under
9 that chapter [as if it were a state agency]. The review shall be
10 conducted under Section 325.025, Government Code, as if the
11 authority were a state agency scheduled to be abolished September
12 1, 2023, and every 12th year after that year [Unless the authority
13 is continued in existence, the authority is abolished and this Act
14 expires September 1, 2017].

15 (c) The authority shall pay the costs incurred by the Sunset
16 Advisory Commission in performing the [a] review [of the authority
17 under this section]. The Sunset Advisory Commission shall
18 determine the costs, and the authority shall pay the amount
19 promptly on receipt of a statement from the Sunset Advisory
20 Commission detailing the costs.

21 SECTION 17. TRINITY RIVER AUTHORITY OF TEXAS. Chapter 518,
22 Acts of the 54th Legislature, Regular Session, 1955, is amended by
23 adding Section 1A to read as follows:

24 Sec. 1A. (a) The Authority is subject to review under
25 Chapter 325, Government Code (Texas Sunset Act), but may not be
26 abolished under that chapter. The review shall be conducted under
27 Section 325.025, Government Code, as if the Authority were a state

1 agency scheduled to be abolished September 1, 2023, and every 12th
2 year after that year.

3 (b) The Authority shall pay the cost incurred by the Sunset
4 Advisory Commission in performing the review. The Sunset Advisory
5 Commission shall determine the cost, and the Authority shall pay
6 the amount promptly on receipt of a statement from the Sunset
7 Advisory Commission detailing the cost.

8 SECTION 18. UPPER COLORADO RIVER AUTHORITY. Chapter 126,
9 General Laws, Acts of the 44th Legislature, Regular Session, 1935,
10 is amended by adding Section 1A to read as follows:

11 Sec. 1A. (a) The District is subject to review under
12 Chapter 325, Government Code (Texas Sunset Act), but may not be
13 abolished under that chapter. The review shall be conducted under
14 Section 325.025, Government Code, as if the District were a state
15 agency scheduled to be abolished September 1, 2021, and every 12th
16 year after that year.

17 (b) The District shall pay the cost incurred by the Sunset
18 Advisory Commission in performing the review. The Sunset Advisory
19 Commission shall determine the cost, and the District shall pay the
20 amount promptly on receipt of a statement from the Sunset Advisory
21 Commission detailing the cost.

22 SECTION 19. UPPER GUADALUPE RIVER AUTHORITY. Chapter 5,
23 page 1062, Special Laws, Acts of the 46th Legislature, Regular
24 Session, 1939, is amended by adding Section 1A to read as follows:

25 Sec. 1A. (a) The District is subject to review under Chapter
26 325, Government Code (Texas Sunset Act), but may not be abolished
27 under that chapter. The review shall be conducted under Section

1 325.025, Government Code, as if the District were a state agency
2 scheduled to be abolished September 1, 2021, and every 12th year
3 after that year.

4 (b) The District shall pay the cost incurred by the Sunset
5 Advisory Commission in performing the review. The Sunset Advisory
6 Commission shall determine the cost, and the District shall pay the
7 amount promptly on receipt of a statement from the Sunset Advisory
8 Commission detailing the cost.

9 SECTION 20. REPEALER. Sections 1A(b) and (d), Chapter 3,
10 Acts of the 69th Legislature, 1st Called Session, 1985, are
11 repealed.

12 SECTION 21. EFFECTIVE DATE. This Act takes effect
13 immediately if it receives a vote of two-thirds of all the members
14 elected to each house, as provided by Section 39, Article III, Texas
15 Constitution. If this Act does not receive the vote necessary for
16 immediate effect, this Act takes effect September 1, 2015.