

By: Keffer, Howard

H.B. No. 1290

Substitute the following for H.B. No. 1290:

By: Ashby

C.S.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, during the
20 five-year period after the year in which, if the authority were a
21 state agency, the authority would be scheduled to be abolished
22 under this chapter.

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

26 Sec. 8501.0015. APPLICATION OF SUNSET ACT. (a) The
27 authority is subject to review under Chapter 325, Government Code

1 (Texas Sunset Act), but may not be abolished under that chapter.
2 The review shall be conducted under Section 325.025, Government
3 Code, as if the authority were a state agency scheduled to be
4 abolished September 1, 2017, and every 12th year after that year.

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

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

13 Sec. 1A. (a) The district is subject to review under Chapter
14 325, Government Code (Texas Sunset Act), but may not be abolished
15 under that chapter. The review shall be conducted under Section
16 325.025, Government Code, as if the district were a state agency
17 scheduled to be abolished September 1, 2023, and every 12th year
18 after that year.

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

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

27 Sec. 8505.0021. APPLICATION OF SUNSET ACT. (a) The

1 authority is subject to review under Chapter 325, Government Code
2 (Texas Sunset Act), but may not be abolished under that chapter.
3 The review shall be conducted under Section 325.025, Government
4 Code, as if the authority were a state agency scheduled to be
5 abolished September 1, 2017, and every 12th year after that year.

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

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

14 Sec. 1A. (a) The District is subject to review under Chapter
15 325, Government Code (Texas Sunset Act), but may not be abolished
16 under that chapter. The review shall be conducted under Section
17 325.025, Government Code, as if the District were a state agency
18 scheduled to be abolished September 1, 2017, and every 12th year
19 after that year.

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

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

1 Sec. 1A. (a) The District is subject to review under Chapter
2 325, Government Code (Texas Sunset Act), but may not be abolished
3 under that chapter. The review shall be conducted under Section
4 325.025, Government Code, as if the District were a state agency
5 scheduled to be abolished September 1, 2019, and every 12th year
6 after that year.

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

12 SECTION 7. LOWER COLORADO RIVER AUTHORITY. Chapter 8503,
13 Special District Local Laws Code, is amended by adding Section
14 8503.0021 to read as follows:

15 Sec. 8503.0021. APPLICATION OF SUNSET ACT. (a) The
16 authority is subject to review under Chapter 325, Government Code
17 (Texas Sunset Act), but may not be abolished under that chapter.
18 The review shall not include the management of or the generation or
19 transmission of electricity under the wholesale electricity
20 operation of the authority. 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, 2019, 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 8. LOWER NECHES VALLEY AUTHORITY. Subchapter A,
3 Chapter 8504, Special District Local Laws Code, is amended by
4 adding Section 8504.0021 to read as follows:

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

11 (b) The authority 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 authority shall pay
14 the amount promptly on receipt of a statement from the Sunset
15 Advisory Commission detailing the cost.

16 SECTION 9. NUECES RIVER AUTHORITY. Chapter 427, Acts of the
17 44th Legislature, 1st Called Session, 1935, is amended by adding
18 Section 1.02A to read as follows:

19 Sec. 1.02A. APPLICATION OF SUNSET ACT. (a) The authority
20 is subject to review under Chapter 325, Government Code (Texas
21 Sunset Act), but may not be abolished under that chapter. The
22 review shall be conducted under Section 325.025, Government Code,
23 as if the authority were a state agency scheduled to be abolished
24 September 1, 2019, 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 10. PALO DURO RIVER AUTHORITY. Chapter 438, Acts of
4 the 63rd Legislature, Regular Session, 1973, is amended by adding
5 Section 1A to read as follows:

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

12 (b) The Authority 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 Authority shall pay
15 the amount promptly on receipt of a statement from the Sunset
16 Advisory Commission detailing the cost.

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

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

26 (b) The Authority 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 Authority shall pay
2 the amount promptly on receipt of a statement from the Sunset
3 Advisory Commission detailing the cost.

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

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

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

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

21 Sec. 8502.0021. APPLICATION OF SUNSET ACT. (a) The
22 authority is subject to review under Chapter 325, Government Code
23 (Texas Sunset Act), but may not be abolished under that chapter.
24 The review shall be conducted under Section 325.025, Government
25 Code, as if the authority were a state agency scheduled to be
26 abolished September 1, 2023, and every 12th year after that year.

27 (b) The authority shall pay the cost incurred by the Sunset

1 Advisory Commission in performing the review. The Sunset Advisory
2 Commission shall determine the cost, and the authority shall pay
3 the amount promptly on receipt of a statement from the Sunset
4 Advisory Commission detailing the cost.

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

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

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

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

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

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

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

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

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

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

26 Sec. 1A. (a) The Authority is subject to review under
27 Chapter 325, Government Code (Texas Sunset Act), but may not be

1 abolished under that chapter. The review shall be conducted under
2 Section 325.025, Government Code, as if the Authority were a state
3 agency scheduled to be abolished September 1, 2023, and every 12th
4 year after that year.

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

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

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

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

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

27 Sec. 1A. (a) The District is subject to review under Chapter

1 325, Government Code (Texas Sunset Act), but may not be abolished
2 under that chapter. The review shall be conducted under Section
3 325.025, Government Code, as if the District were a state agency
4 scheduled to be abolished September 1, 2021, and every 12th year
5 after that year.

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

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

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