

By: Keffer

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

20 Sec. 8501.0015. APPLICATION OF SUNSET ACT. (a) The
21 authority is subject to review under Chapter 325, Government Code
22 (Texas Sunset Act), but may not be abolished under that chapter.
23 The review shall be conducted under Section 325.025, Government
24 Code, as if the authority were a state agency scheduled to be
25 abolished September 1, 2017, and every 12th 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 3. BANDERA COUNTY RIVER AUTHORITY AND GROUNDWATER
5 DISTRICT. Chapter 629, Acts of the 62nd Legislature, Regular
6 Session, 1971, is amended by adding Section 1A to read as follows:

7 Sec. 1A. (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, 2017, 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 4. 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, 2017, 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 5. CENTRAL COLORADO RIVER AUTHORITY. Subchapter A,
6 Chapter 8505, Special District Local Laws Code, is amended by
7 adding Section 8505.0021 to read as follows:

8 Sec. 8505.0021. APPLICATION OF SUNSET ACT. (a) The
9 authority is subject to review under Chapter 325, Government Code
10 (Texas Sunset Act), but may not be abolished under that chapter.
11 The review shall be conducted under Section 325.025, Government
12 Code, as if the authority were a state agency scheduled to be
13 abolished September 1, 2017, and every 12th year after that year.

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

19 SECTION 6. GUADALUPE-BLANCO RIVER AUTHORITY. Chapter 75,
20 Acts of the 43rd Legislature, 1st Called Session, 1933, is amended
21 by 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, 2019, 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 7. LAVACA-NAVIDAD RIVER AUTHORITY. Chapter 186,
7 Acts of the 50th Legislature, Regular Session, 1947, is amended by
8 adding Section 1A to read as follows:

9 Sec. 1A. (a) The District is subject to review under Chapter
10 325, Government Code (Texas Sunset Act), but may not be abolished
11 under that chapter. The review shall be conducted under Section
12 325.025, Government Code, as if the District were a state agency
13 scheduled to be abolished September 1, 2019, and every 12th year
14 after that year.

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

20 SECTION 8. LOWER COLORADO RIVER AUTHORITY. Chapter 8503,
21 Special District Local Laws Code, is amended by adding Section
22 8503.0021 to read as follows:

23 Sec. 8503.0021. 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 9. LOWER NECHES VALLEY AUTHORITY. Subchapter A,
8 Chapter 8504, Special District Local Laws Code, is amended by
9 adding Section 8504.0021 to read as follows:

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

16 (b) The authority 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 authority shall pay
19 the amount promptly on receipt of a statement from the Sunset
20 Advisory Commission detailing the cost.

21 SECTION 10. NUECES RIVER AUTHORITY. Chapter 427, Acts of
22 the 44th Legislature, 1st Called Session, 1935, is amended by
23 adding Section 1.02A to read as follows:

24 Sec. 1.02A. APPLICATION OF SUNSET ACT. (a) The authority
25 is subject to review under Chapter 325, Government Code (Texas
26 Sunset Act), but may not be abolished under that chapter. The
27 review shall be conducted under Section 325.025, Government Code,

1 as if the authority were a state agency scheduled to be abolished
2 September 1, 2021, 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 11. PALO DURO RIVER AUTHORITY. Chapter 438, Acts of
9 the 63rd Legislature, Regular Session, 1973, is amended by adding
10 Section 1A to read as follows:

11 Sec. 1A. (a) The Authority 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 Authority were a state
15 agency scheduled to be abolished September 1, 2021, and every 12th
16 year after that year.

17 (b) The Authority 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 Authority shall pay
20 the amount promptly on receipt of a statement from the Sunset
21 Advisory Commission detailing the cost.

22 SECTION 12. RED RIVER AUTHORITY OF TEXAS. Chapter 279, Acts
23 of the 56th Legislature, Regular Session, 1959, is amended by
24 adding Section 1A to read as follows:

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

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

4 (b) The Authority 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 Authority shall pay
7 the amount promptly on receipt of a statement from the Sunset
8 Advisory Commission detailing the cost.

9 SECTION 13. SABINE RIVER AUTHORITY OF TEXAS. Chapter 110,
10 Acts of the 51st Legislature, Regular Session, 1949, is amended by
11 adding Section 2A to read as follows:

12 Sec. 2A. (a) The district is subject to review under Chapter
13 325, Government Code (Texas Sunset Act), but may not be abolished
14 under that chapter. The review shall be conducted under Section
15 325.025, Government Code, as if the district were a state agency
16 scheduled to be abolished September 1, 2023, and every 12th year
17 after that year.

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

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

26 Sec. 1-a. APPLICATION OF SUNSET ACT. (a) The District is
27 subject to review under Chapter 325, Government Code (Texas Sunset

1 Act), but may not be abolished under that chapter. The review shall
2 be conducted under Section 325.025, Government Code, as if the
3 District were a state agency scheduled to be abolished September 1,
4 2023, and every 12th year after that year.

5 (b) The District 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 District shall pay the
8 amount promptly on receipt of a statement from the Sunset Advisory
9 Commission detailing the cost.

10 SECTION 15. SAN JACINTO RIVER AUTHORITY. Chapter 426, Acts
11 of the 45th Legislature, Regular Session, 1937, is amended by
12 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 16. SULPHUR RIVER BASIN AUTHORITY. Sections 1A(a)
25 and (c), Chapter 3, Acts of the 69th Legislature, 1st Called
26 Session, 1985, are amended to read as follows:

27 (a) The authority is subject to review under Chapter 325,

1 Government Code (Texas Sunset Act), but may not be abolished under
2 that chapter [~~as if it were a state agency~~]. The review shall be
3 conducted under Section 325.025, Government Code, as if the
4 authority were a state agency scheduled to be abolished September
5 1, 2023, and every 12th year after that year [~~Unless the authority~~
6 ~~is continued in existence, the authority is abolished and this Act~~
7 ~~expires September 1, 2017~~].

8 (c) The authority shall pay the costs incurred by the Sunset
9 Advisory Commission in performing the [~~a~~] review [~~of the authority~~
10 ~~under this section~~]. The Sunset Advisory Commission shall
11 determine the costs, and the authority shall pay the amount
12 promptly on receipt of a statement from the Sunset Advisory
13 Commission detailing the costs.

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

17 Sec. 1A. (a) The Authority is subject to review under
18 Chapter 325, Government Code (Texas Sunset Act), but may not be
19 abolished under that chapter. The review shall be conducted under
20 Section 325.025, Government Code, as if the Authority were a state
21 agency scheduled to be abolished September 1, 2023, and every 12th
22 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 18. UPPER COLORADO RIVER AUTHORITY. Chapter 126,
2 General Laws, Acts of the 44th Legislature, Regular Session, 1935,
3 is amended by adding Section 1A to read as follows:

4 Sec. 1A. (a) The District 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 District were a state
8 agency scheduled to be abolished September 1, 2021, and every 12th
9 year after that year.

10 (b) The District 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 District shall pay the
13 amount promptly on receipt of a statement from the Sunset Advisory
14 Commission detailing the cost.

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

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

24 (b) The District 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 District shall pay the
27 amount promptly on receipt of a statement from the Sunset Advisory

1 Commission detailing the cost.

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

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