

By: Birdwell, et al.

S.B. No. 523

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 of Texas;

(11) Red River Authority of Texas;

(12) Sabine River Authority of Texas;

(13) San Antonio River Authority;

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

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

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

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

(e) A river authority reviewed by the commission under this section may not be required to conduct a management audit under Chapter 292, Title 30, Texas Administrative Code, during the five-year period after the year in which, if the authority were a state agency, the authority would be scheduled to be abolished under this chapter.

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

Sec. 8501.0015. APPLICATION OF SUNSET ACT. (a) The 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, 2023, 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
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, 2017, 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 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

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

(b) The authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review. 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 5. GUADALUPE-BLANCO RIVER AUTHORITY. Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933, is amended by adding Section 1A to read as follows:

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

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

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

1 Sec. 1A. (a) The District is subject to review under
2 Chapter 325, Government Code (Texas Sunset Act), but may not be
3 abolished under that chapter. The review shall be conducted under
4 Section 325.025, Government Code, as if the District were a state
5 agency scheduled to be abolished September 1, 2023, and every 12th
6 year 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 be conducted under Section 325.025, Government
19 Code, as if the authority were a state agency scheduled to be
20 abolished September 1, 2019, and every 12th year after that year.

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

26 SECTION 8. LOWER NECHES VALLEY AUTHORITY. Subchapter A,
27 Chapter 8504, Special District Local Laws Code, is amended by

adding Section 8504.0021 to read as follows:

Sec. 8504.0021. APPLICATION OF SUNSET ACT. (a) The authority is subject to review under Chapter 325, Government Code (Texas Sunset Act), but may not be abolished under that chapter. The review shall be conducted under Section 325.025, Government Code, as if the authority were a state agency scheduled to be abolished September 1, 2021, and every 12th year after that year.

(b) The authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review. 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 9. NUECES RIVER AUTHORITY. Chapter 427, Acts of the 44th Legislature, 1st Called Session, 1935, is amended by adding Section 1.02A to read as follows:

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

(b) The authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review. 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 10. PALO DURO RIVER AUTHORITY OF TEXAS. Chapter

438, Acts of the 63rd Legislature, Regular Session, 1973, is amended by adding Section 1A to read as follows:

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

(b) The Authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review. 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 11. RED RIVER AUTHORITY OF TEXAS. Chapter 279, Acts of the 56th Legislature, Regular Session, 1959, is amended by adding Section 1A to read as follows:

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

(b) The Authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review. 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 12. SABINE RIVER AUTHORITY OF TEXAS. Chapter 110, Acts of the 51st Legislature, Regular Session, 1949, is amended by adding Section 2A to read as follows:

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

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

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

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

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

1 Advisory Commission detailing the cost.

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

5 Sec. 1-a. APPLICATION OF SUNSET ACT. (a) The District is
6 subject to review under Chapter 325, Government Code (Texas Sunset
7 Act), but may not be abolished under that chapter. The review shall
8 be conducted under Section 325.025, Government Code, as if the
9 District were a state agency scheduled to be abolished September 1,
10 2023, and every 12th year 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 15. SAN JACINTO RIVER AUTHORITY. Chapter 426, Acts
17 of the 45th Legislature, Regular Session, 1937, is amended by
18 adding Section 1A to read as follows:

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

25 (b) The District 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 District shall pay the

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

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

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

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

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

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

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

10 **Sec. 1A. (a) The District is subject to review under**
11 **Chapter 325, Government Code (Texas Sunset Act), but may not be**
12 **abolished under that chapter. The review shall be conducted under**
13 **Section 325.025, Government Code, as if the District were a state**
14 **agency scheduled to be abolished September 1, 2017, and every 12th**
15 **year 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 19. UPPER GUADALUPE RIVER AUTHORITY. Chapter 5,
22 page 1062, Special Laws, Acts of the 46th Legislature, Regular
23 Session, 1939, is amended by adding Section 1A to read as follows:

24 **Sec. 1A. (a) The District 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 District were a state**

1 agency scheduled to be abolished September 1, 2019, and every 12th
2 year after that year.

3 (b) The District 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 District shall pay the
6 amount promptly on receipt of a statement from the Sunset Advisory
7 Commission detailing the cost.

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

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