

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.

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 (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

1 abolished September 1, 2023, 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  
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, 2023, 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 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  
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, 2019, 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 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  
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 District were a state  
2 agency scheduled to be abolished September 1, 2023, and every 12th  
3 year 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) In anticipation of the sunset review under Subsection  
23 (a), based on the results of an audit, including a  
24 performance-related audit, conducted by the state auditor before  
25 December 1, 2016, the state auditor may make recommendations to the  
26 legislature, including whether a review conducted under Subsection  
27 (a) should include the financial operation and management of the

generation or transmission of electricity under the wholesale electricity operation of the authority and the authority's affiliated nonprofit corporations.

(c) The authority shall pay the cost incurred by the Sunset Advisory Commission in performing the review under Subsection (a). 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 8. LOWER COLORADO RIVER AUTHORITY. Section 8503.015, Special District Local Laws Code, is amended to read as follows:

Sec. 8503.015. AUDITS ~~[AUDIT]~~. (a) The authority is subject to the audit provisions of Subchapter G, Chapter 49, Water Code.

(b) The authority is subject to the audit provisions of Chapter 321, Government Code. This subsection expires January 1, 2017.

SECTION 9. LOWER NECHES VALLEY AUTHORITY. Subchapter A, 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

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

8 Sec. 1.02A. APPLICATION OF SUNSET ACT. (a) The authority  
9 is subject to review under Chapter 325, Government Code (Texas  
10 Sunset Act), but may not be abolished under that chapter. The  
11 review shall be conducted under Section 325.025, Government Code,  
12 as if the authority were a state agency scheduled to be abolished  
13 September 1, 2019, 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 11. PALO DURO RIVER AUTHORITY OF TEXAS. Chapter  
20 438, Acts of the 63rd Legislature, Regular Session, 1973, is  
21 amended by adding Section 1A to read as follows:

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

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

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

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

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

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

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



1 year after that year.

2 (b) The district 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 district shall pay the  
5 amount promptly on receipt of a statement from the Sunset Advisory  
6 Commission detailing the cost.

7 SECTION 14. BRAZOS RIVER AUTHORITY. Chapter 8502, Special  
8 District Local Laws Code, is amended by adding Section 8502.0021 to  
9 read as follows:

10 Sec. 8502.0021. 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, 2021, 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 15. SAN ANTONIO RIVER AUTHORITY. Chapter 276, Acts  
22 of the 45th Legislature, Regular Session, 1937, is amended by  
23 adding Section 1-a to read as follows:

24 Sec. 1-a. APPLICATION OF SUNSET ACT. (a) The District is  
25 subject to review under Chapter 325, Government Code (Texas Sunset  
26 Act), but may not be abolished under that chapter. The review shall  
27 be conducted under Section 325.025, Government Code, as if the

1 District were a state agency scheduled to be abolished September 1,  
2 2023, and every 12th 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 16. SAN JACINTO RIVER AUTHORITY. Chapter 426, Acts  
9 of the 45th Legislature, Regular Session, 1937, is amended by  
10 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 17. SULPHUR RIVER BASIN AUTHORITY. Sections 1A(a)  
23 and (c), Chapter 3, Acts of the 69th Legislature, 1st Called  
24 Session, 1985, are amended to read as follows:

25 (a) The authority is subject to review under Chapter 325,  
26 Government Code (Texas Sunset Act), but may not be abolished under  
27 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 18. 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, 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 Advisory Commission detailing the cost.

SECTION 19. UPPER COLORADO RIVER AUTHORITY. Chapter 126, General Laws, Acts of the 44th Legislature, Regular Session, 1935,

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, 2017, 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 20. UPPER GUADALUPE RIVER AUTHORITY. Chapter 5, page 1062, Special Laws, Acts of the 46th Legislature, Regular Session, 1939, 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 21. REPEALER. Sections 1A(b) and (d), Chapter 3,

1 Acts of the 69th Legislature, 1st Called Session, 1985, are  
2 repealed.

3 SECTION 22. EFFECTIVE DATE. This Act takes effect  
4 immediately if it receives a vote of two-thirds of all the members  
5 elected to each house, as provided by Section 39, Article III, Texas  
6 Constitution. If this Act does not receive the vote necessary for  
7 immediate effect, this Act takes effect September 1, 2015.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 523 passed the Senate on April 9, 2015, by the following vote: Yeas 31, Nays 0; May 27, 2015, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 28, 2015, House granted request of the Senate; May 30, 2015, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 523 passed the House, with amendment, on May 23, 2015, by the following vote: Yeas 139, Nays 1, two present not voting; May 28, 2015, House granted request of the Senate for appointment of Conference Committee; May 31, 2015, House adopted Conference Committee Report by the following vote: Yeas 141, Nays 2, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor