

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;

(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.

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 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

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,

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, 2023, 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, 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.

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.