

By: Flynn

H.B. No. 1920

Substitute the following for H.B. No. 1920:

By: Workman

C.S.H.B. No. 1920

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Palo Duro River Authority, following
3 recommendations of the Sunset Advisory Commission.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, and 12,
6 Chapter 438, Acts of the 63rd Legislature, Regular Session, 1973,
7 are amended to read as follows:

8 Sec. 1. By virtue of Section 59, Article XVI of the
9 Constitution of the State of Texas, there is hereby created a
10 conservation and reclamation district to be known as "Palo Duro
11 Water District," [~~River Authority of Texas~~ (hereinafter sometimes
12 referred to as the "~~Authority~~") which shall be a governmental
13 agency, a body politic and corporate, and a political subdivision
14 of this state.

15 Sec. 2. The district [~~Authority~~] hereby created and
16 established shall comprise all of the territory contained within
17 the Counties of Hansford and Moore and the City of Stinnett
18 [~~Ochiltree~~]. It is hereby found and determined that all of the land
19 thus included in the district [~~Authority~~] will be benefited by the
20 improvements to be acquired and constructed by the district
21 [~~Authority~~], and that the district [~~Authority~~] is created to serve
22 a public use and benefit.

23 Sec. 3. The district, inside or outside its boundaries,
24 [~~Authority within its limits~~] is hereby empowered: (a) to develop,

1 construct or purchase dams and reservoirs. The district
2 [~~Authority~~] is empowered to construct or to purchase all plants and
3 other facilities necessary or useful for the purpose of providing a
4 source of water supply and storing, processing such water and
5 transporting and distributing it for irrigation, livestock
6 raising, agricultural, municipal, domestic and industrial
7 purposes. The district [~~Authority~~] shall at all times have power to
8 develop or purchase additional sources of water and to improve,
9 enlarge and extend its water system. The district [~~Authority~~] is
10 also empowered to make contracts for the purchase of water; (b) in
11 order to preserve and protect the purity of the waters of the state
12 and of the district [~~Authority~~] and conserve and reclaim said
13 waters for beneficial use by the inhabitants of the district
14 [~~Authority~~], to provide all plants, works, facilities and
15 appliances incident to or helpful or necessary to the collection,
16 transportation, processing, disposal, and control of such waters
17 for agricultural, municipal, domestic, oil field flooding, mining
18 and industrial purposes; and (c) the district [~~Authority~~] is
19 empowered to impound, store, control and conserve the storm and
20 flood waters and the unappropriated flow waters [~~within the limits~~
21 ~~of the Authority~~], including but not limited to the storm and flood
22 waters and unappropriated flow waters of Palo Duro Creek and Horse
23 Creek, [~~River and the tributaries thereof within and without its~~
24 ~~watershed~~] by complying with the provisions of Chapter 1, Title
25 128, Revised Civil Statutes of Texas, as amended.

26 Sec. 5. (a) The district may not construct a [~~No~~] dam or
27 other facility [~~facilities~~] for impounding water [~~shall be~~

1 ~~constructed~~] until the plans therefor are approved by the
2 commission [~~Texas Water Rights Commission~~]. [~~The Authority is not~~
3 ~~authorized to develop or otherwise acquire underground sources of~~
4 ~~water.~~]

5 (b) The district [~~Authority~~] may sell, trade, or otherwise
6 dispose of any real or personal property deemed by the district
7 [~~this Commission~~] not to be needed for district [~~Authority~~]
8 purposes, subject to the terms of any deed of trust or other
9 indenture [~~issued by the Commission~~].

10 Sec. 6. The district [~~Authority~~] is authorized to enter
11 into contracts with cities and others for supplying water to them.
12 The district [~~Authority~~] is also authorized to contract with any
13 city for the rental or leasing of, or for the operation of the water
14 production, water supply, and water filtration or purification [~~and~~
15 ~~water supply~~] facilities of such city upon such consideration as
16 the district [~~Authority~~] and the city may agree. Any such contract
17 may be upon such terms and for such time as the parties may agree,
18 and it may provide that it shall continue in effect until bonds
19 specified therein and refunding bonds issued in lieu of such bonds
20 are paid.

21 Sec. 7. The district [~~Authority~~] is empowered to obtain
22 through appropriate hearings an appropriation permit or permits
23 from the commission [~~Texas Water Rights Commission~~], as provided in
24 Chapter 1 of Title 128, Revised Civil Statutes of 1925, as amended.
25 Thereafter such permit, either upon application of the district
26 [~~Authority~~] or at the will of the commission [~~Texas Water Rights~~
27 ~~Commission~~], may be modified by the commission [~~said Commission~~]

1 after an appropriate hearing to increase or decrease the amount of
2 water which may be appropriated[~~7~~] and the amount which may be
3 stored by the district [~~Authority~~] to meet fluctuating demands.
4 On[~~7, either upon~~] application by the district [~~Authority~~] or by its
5 own action the commission [~~Texas Water Rights Commission~~] shall
6 redetermine the maximum amount of water which the district
7 [~~Authority~~] may store in its reservoir and in making such
8 determination it shall consider the needs of the cities and others
9 that purchase water from the district [~~Authority~~].

10 Sec. 8. The district [~~Authority~~] is authorized to acquire
11 or construct within or without the boundaries of the district
12 [~~Authority~~], a dam or dams and all works, plants and other
13 facilities necessary or useful for the purpose of impounding,
14 processing and transporting water to cities and others for
15 municipal, agricultural, domestic, industrial, oil field flooding,
16 and mining purposes. The size of the dam and reservoir shall be
17 determined by the board [~~Board of Directors~~], taking into
18 consideration probable future increases in water requirements, and
19 the size of the dam shall not be limited by the amount of water
20 initially authorized by the commission [~~Texas Water Commission~~] to
21 be impounded therein. [~~No dam or other facilities for impounding~~
22 ~~water shall be constructed until the plans therefor are approved by~~
23 ~~the Texas Department of Water Resources.~~]

24 Sec. 9. The district [~~Authority~~] is empowered to acquire
25 land within or without the boundaries of the district [~~Authority~~],
26 and to construct, lease or otherwise acquire all works, plants and
27 other facilities necessary or useful for the purpose of diverting,

1 further impounding or storing water, processing such water and
2 transporting it to cities and others for agricultural, municipal,
3 domestic, industrial, oil field flooding, and mining purposes.

4 Sec. 10. (a) For the purpose of carrying out any power or
5 authority conferred by this Act the district [~~Authority~~] shall have
6 the right to acquire by condemnation in the manner provided by Title
7 52, Revised Statutes, as amended, relating to eminent domain:

8 (1) the fee simple title to land and other property and
9 easements (including land needed for the reservoir and dam and
10 flood easements above the probable high water line around any such
11 reservoirs) within the boundaries of the district [~~Authority~~]; and

12 (2) the fee simple title to land and other property and
13 easements (except for land, other property, and easements to be
14 used for a dam or dams or facilities for the impoundment or storage
15 of water) outside the boundaries of the district [~~Authority~~].

16 (b) The district [~~Authority~~] is hereby declared to be a
17 municipal corporation within the meaning of Article 3268 of said
18 Title 52, except that the district [~~Authority~~] shall not have the
19 right to so condemn any property which may be owned by any other
20 political subdivision, city or town; provided, however, that as
21 against persons, firms and corporations, or receivers or trustees
22 thereof, who have the power of eminent domain, the fee title may not
23 be condemned, but the district [~~Authority~~] may condemn only an
24 easement. The amount of and character of interest in land, other
25 property and easements thus to be acquired shall be determined by
26 the board [~~Board of Directors~~].

27 Sec. 11. The district [~~Authority~~] herein created shall be

1 and it is hereby empowered to control, store, conserve, protect,
2 distribute and utilize the storm and flood waters within the area of
3 the district [~~Authority~~] for all useful purposes permitted by law;
4 also, to carry out flood prevention and control measures within the
5 district [~~Authority~~] and to prevent or aid in preventing damage to
6 the lands of the district [~~Authority~~] and the soil and fertility
7 thereof; to cooperate with all other districts, departments or
8 agencies of the State Government, or any agency, representative,
9 instrumentality or department of the United States Government; and
10 to receive and accept technical and financial assistance therefrom
11 in the accomplishment of the [~~said~~] purposes described by this
12 section. The district [~~said Authority~~] is further authorized and
13 empowered to purchase, construct, maintain, or in any other lawful
14 manner to acquire, provide and develop all works, facilities,
15 improvements, lands, easements and properties, which may be
16 necessary or useful in fulfilling the purposes of the district
17 [~~Authority~~] or any of them.

18 Sec. 12. The district [~~Authority~~] is authorized to acquire
19 water appropriation permits from owners of permits. The district
20 [~~Authority~~] is hereby empowered to lease or acquire rights in and to
21 storage and storage capacity in any reservoir constructed or to be
22 constructed by any person, firm, corporation or public agency or
23 from the United States Government or any of its agencies.

24 SECTION 2. Sections 13(a), (b), (c), and (d), Chapter 438,
25 Acts of the 63rd Legislature, Regular Session, 1973, are amended to
26 read as follows:

27 (a) The board [~~Board of Directors of the Authority~~] shall

1 have the power to adopt and promulgate all reasonable regulations
2 to secure, maintain, and preserve the sanitary condition of all
3 water in and to flow into any reservoir owned by the district,
4 [~~Authority~~] to prevent waste of water or the unauthorized use
5 thereof, and to regulate residence, hunting, fishing, boating and
6 camping, and all recreational and business privileges, along or
7 around any such reservoir, [~~or any~~] body of land, or easement owned
8 by the district [~~Authority~~].

9 (b) The district [~~Such Authority~~] may prescribe reasonable
10 penalties for the breach of any regulation of the district
11 [~~Authority~~], which penalties shall not exceed fines of more than
12 Two Hundred Dollars (\$200.) [~~, or imprisonment for not more than~~
13 ~~thirty (30) days, or may provide both such fine and such~~
14 ~~imprisonment~~]. The penalties hereby authorized shall be in
15 addition to any other penalties provided by the laws of Texas and
16 may be enforced by complaints filed in the appropriate court of
17 jurisdiction, provided, however, that no rule or regulation which
18 provides a penalty for the violation thereof shall be in effect, as
19 to enforcement of the penalty, until five (5) days next after the
20 district [~~Authority~~] may have caused a substantive statement of the
21 particular rule or regulation and the penalty for the violation
22 thereof to be published, once a week for two (2) consecutive weeks
23 in the county in which such reservoir is situated, or in any county
24 in which it is partly situated. The substantive statement so to be
25 published shall be as condensed as is possible to afford an
26 intelligent direction of the mind to the act forbidden by the rule
27 or regulation; one (1) notice may embrace any number of

1 regulations; there must be embraced in the notice advice that
2 breach of the particular regulation, or regulations, will subject
3 the violator to the infliction of a penalty and there also shall be
4 included in the notice advice that the full text of the regulations
5 sought to be enforced is on file in the principal office of the
6 district [~~Authority~~], where the same may be read by any interested
7 person. Five (5) days after the second publication of the notice
8 hereby required, the advertised regulation shall be in effect, and
9 ignorance of any such regulation shall not constitute a defense to a
10 prosecution for the enforcement of a penalty and, the rules and
11 regulations authorized hereby, after the required publication,
12 shall judicially be known to the courts and shall be considered of a
13 nature like unto that of valid penal ordinance of a city of the
14 state.

15 (c) Any duly constituted peace officer, provided such
16 officers meet the Texas Law Officers minimum certification
17 requirements, shall have the power to make arrests when necessary
18 to prevent or abate the commission of any offense against the
19 regulations of the district [~~Authority~~], and against the laws of
20 the State of Texas, when any such offense or threatened offense
21 occurs upon any land, water or easement owned or controlled by the
22 district [~~Authority~~], or to make such arrest at any place, in case
23 of an offense involving injury or detriment to any property owned or
24 controlled by such district [~~Authority~~].

25 (d) Territory may be annexed to the district [~~Authority~~],
26 whether or not contiguous to the district [~~Authority~~], in the
27 following manner:

1 (1) A petition praying for such annexation signed by
2 fifty (50) or a majority, whichever number is smaller, of the
3 resident, qualified voters of the territory or of duly incorporated
4 cities or towns sought to be annexed shall be filed with the board.
5 The petition shall describe the territory to be annexed by metes and
6 bounds, or otherwise, unless such territory is the same as that
7 contained within the boundaries of such city or town, in which event
8 it shall be sufficient to state that the territory to be annexed is
9 that which is contained within the boundaries of such city or town.

10 (2) If the board [~~Board of Directors~~] finds that the
11 petition complies with and is signed by the number of qualified
12 persons required by Subdivision (1) of this subsection, that the
13 annexation would be to the best interest of the territory, city or
14 town, and the district [~~Authority~~], and that the district
15 [~~Authority~~] will be able to supply water, or cause water to be
16 supplied to the territory, city, or town, it shall adopt a
17 resolution stating the conditions, if any, under which such
18 territory, city, or town may be annexed to the district
19 [~~Authority~~], and shall fix a time and place when and where a hearing
20 shall be held by the board on the question of whether the territory,
21 city, or town sought to be annexed will be benefited by the
22 improvements, works, and facilities then owned or operated or
23 contemplated to be owned or operated by the district [~~Authority~~] or
24 by the other functions of the district [~~Authority~~]. Notice of the
25 adoption of such resolution stating the time and place of such
26 hearing shall be published one (1) time in a newspaper of general
27 circulation in the territory, city, or town sought to be annexed at

1 least ten (10) days prior to the date of such hearing. The notice
2 shall describe the territory in the same manner in which it is
3 required or permitted by this Act to be described in the petition.
4 All persons interested may appear at such hearing and offer
5 evidence for or against the proposed annexation. Such hearing may
6 proceed in such order and under such rules as may be prescribed by
7 said board, and the hearing may be recessed from time to time. If,
8 at the conclusion of the hearing, the board [~~Board of Directors~~]
9 finds that the property in such territory, city, or town will be
10 benefited by the present or contemplated improvements, works, or
11 facilities of the district [~~Authority~~], the board [~~Board of~~
12 ~~Directors~~] shall adopt a resolution making a finding of such
13 benefit and calling an election in the territory, city, or town
14 proposed to be annexed stating therein the date of the election, the
15 place or places of holding the same, the proposition to be voted on,
16 and appointing a presiding judge for each voting place who shall
17 appoint the necessary assistant judges and clerks to assist in
18 holding the election.

19 Notice of such election shall be given by publishing a
20 substantial copy of the resolution calling the election one (1)
21 time in a newspaper of general circulation in the territory sought
22 to be annexed to the district [~~Authority~~] at least ten (10) days
23 before the date set for the election. Only constitutionally
24 qualified electors who reside in the territory, city, or town
25 sought to be annexed shall be qualified to vote in said election.
26 Returns of the result of said election shall be made to the board.
27 The board shall canvass the returns of the election and adopt a

1 resolution declaring the results thereof. If such resolution shows
2 that a majority of the votes cast are in favor of annexation, the
3 board shall by resolution annex said territory to the district
4 [~~Authority~~], and such annexation shall thereafter be incontestable
5 except in the manner and within the time for contesting the
6 elections under the Texas Election Code, as amended.

7 (3) The board [~~Board of Directors~~], in calling an
8 election on the proposition for annexation of territory, city, or
9 town, may include as a part of the same proposition or a separate
10 proposition for the assumption of its part of the tax-supported
11 bonds of the district [~~Authority~~] then outstanding and those
12 theretofore voted but not yet sold, and for the levy of an ad
13 valorem tax on taxable property in said territory along with the tax
14 in the rest of the district [~~Authority~~] for the payment thereof and
15 the levying of maintenance taxes permitted by Section 27 of this
16 Act, in which event the voting shall be restricted to
17 constitutionally qualified electors. If such election fails, the
18 annexed territory, city, or town shall be excluded from the
19 district [~~Authority~~].

20 SECTION 3. Sections 14, 15, 16, 17, 18, and 19, Chapter 438,
21 Acts of the 63rd Legislature, Regular Session, 1973, are amended to
22 read as follows:

23 Sec. 14. The district [~~Authority~~] is authorized to
24 establish or otherwise provide for public parks and recreation
25 facilities, and to acquire land for such purposes within the
26 district [~~Authority~~].

27 Sec. 15. In the event that the district [~~Authority~~], in the

1 exercise of the power of eminent domain or power of relocation, or
2 any other power granted hereunder, makes necessary the relocation,
3 raising, rerouting or changing the grade of, or altering the
4 construction of any highway, railroad, electric transmission line,
5 telephone or telegraph properties and facilities, or pipeline, all
6 such necessary relocation, raising, rerouting, changing of grade or
7 alteration of construction shall be accomplished at the sole
8 expense of the district [~~Authority~~].

9 Sec. 16. It shall not be necessary for the board [~~Board of~~
10 ~~Directors~~] to call a confirmation election or to hold a hearing on
11 the exclusion of lands or a hearing on the adoption of a plan of
12 taxation, but the ad valorem plan of taxation shall be used by the
13 district [~~Authority~~].

14 Sec. 17. (a) All powers of the district [~~Authority~~] shall
15 be exercised by the board. Each director of the board [~~a Board of~~
16 ~~Directors (sometimes herein referred to as the "Board"), each of~~
17 ~~whom~~] shall serve staggered, two-year terms that expire on December
18 31 of each year. [~~for a term of two (2) years except for the~~
19 ~~directors appointed by this Act. The following directors are hereby~~
20 ~~appointed:~~

<u>[DIRECTOR</u>	<u>RESIDENCE</u>	<u>TERM EXPIRING</u>
[Dee Jackson	Spearman, Hansford County, Texas	December 31, 1973
[N. F. (Gus) Renner	Spearman, Hansford County, Texas	December 31, 1974
[Robert V. Skinner	Spearman, Hansford County, Texas	December 31, 1973

1	[Bill Logsdon	Cruver, Hansford	December 31, 1974
2		County, Texas	
3	[Bob Urban	Perryton, Ochiltree	December 31, 1973
4		County, Texas	
5	[Delbert Timmons	Perryton, Ochiltree	December 31, 1974
6		County, Texas	
7	[Jerry Garrison	Perryton, Ochiltree	December 31, 1973
8		County, Texas	
9	[Robert D. Lemon	Perryton, Ochiltree	December 31, 1974]
10		County, Texas	

11 (b) In ~~[December of 1973 and in]~~ December of each year, hereafter the Commissioners Court of each county contained in the district, except for Hutchinson County, and the city council of the City of Stinnett [Authority] shall appoint a director or directors ~~[from such county]~~ whose term or terms are about to expire. Any vacancy shall be filled for the unexpired term by the governing body of the appropriate county or city. Four (4) directors ~~[members of the Board of Directors]~~ shall be appointed by the Commissioners Court of each county contained in the district, except for Hutchinson County, and one director shall be appointed by the city council of the City of Stinnett. Each ~~[Authority, and each]~~ director shall reside in the county from which the director ~~[he]~~ is appointed.

24 (c) Each director shall serve for the director's ~~[his]~~ term of office as herein provided, and thereafter until the director's ~~[his]~~ successor shall be appointed and qualified. No person shall be appointed a director unless the person ~~[he]~~ resides in and owns

1 taxable property in the county or city from which the person [~~he~~] is
2 appointed. No member of a governing body of a county or the City of
3 Stinnett, and no employee of a county or the City of Stinnett shall
4 be appointed as director. Such directors shall subscribe the
5 Constitutional oath of office, and each shall give bond for the
6 faithful performance of the director's [~~his~~] duties in the amount
7 of Five Thousand Dollars (\$5,000.), the cost of which shall be paid
8 by the district [~~Authority~~]. A majority shall constitute a quorum.
9 If any director moves from the county or city from which the
10 director [~~he~~] is appointed or otherwise ceases to be a director, the
11 Commissioners Court of such county or the city council of the City
12 of Stinnett, as appropriate, shall appoint a director to succeed in
13 the position [~~him,~~] for the unexpired term.

14 (d) Unless the board by resolution increases the fee to an
15 amount authorized by Section 49.060, Water Code, each [~~Each~~]
16 director shall receive a fee of not to exceed Twenty-Five Dollars
17 (\$25.) for attending each meeting of the board [~~Board~~], provided
18 that no more than Fifty Dollars (\$50.) shall be paid to any director
19 for meetings held in any one (1) calendar month. Each director
20 shall also be entitled to receive not to exceed Twenty-Five Dollars
21 (\$25.) per day devoted to the business of the district [~~Authority~~]
22 and to reimbursement for actual expenses incurred in attending to
23 district [~~Authority~~] business provided that such service and
24 expense are expressly approved by the board [~~Board~~].

25 Sec. 18. The board [~~Board of Directors~~] shall elect from its
26 number a president and a vice president of the district
27 [~~Authority~~], and such other officers as in the judgment of the board

1 ~~[Board]~~ are necessary. The president shall be the chief executive
2 officer of the district ~~[Authority]~~ and the presiding officer of
3 the board ~~[Board]~~, and shall have the same right to vote as any
4 other director. The vice president shall perform all duties and
5 exercise all powers conferred by this Act upon the president when
6 the president is absent or fails or declines to act except the
7 president's right to vote. The board ~~[Board]~~ shall also appoint a
8 secretary and a treasurer who may or may not be members of the board
9 ~~[Board]~~, and it may combine those offices. The treasurer shall give
10 bond in such amount as may be required by the board ~~[Board of~~
11 ~~Directors]~~. The condition of such bond shall be that the treasurer
12 ~~[he]~~ will faithfully account for all money which shall come into the
13 treasurer's ~~[his]~~ custody as treasurer of the district ~~[Authority]~~,
14 and the board ~~[Board]~~ may adopt a seal for the district ~~[Authority]~~.

15 Sec. 19. The board ~~[Board of Directors]~~, from time to time,
16 shall be authorized to make or cause to be made surveys and
17 engineering investigations for the information of the district
18 ~~[Authority]~~ to facilitate the accomplishment of the purposes for
19 which the district ~~[Authority]~~ is created; and may employ a general
20 manager, attorneys, accountants, engineers, or other technical or
21 nontechnical employees or assistants; fix the amount and manner of
22 their compensation; and may provide for the payment of expenditures
23 deemed essential to the proper maintenance of the district
24 ~~[Authority]~~ and its affairs. The power to employ and discharge
25 employees may be conferred upon the general manager.

26 SECTION 4. Sections 20(a), (b), (d), (e), (f), (g), (h), and
27 (i), Chapter 438, Acts of the 63rd Legislature, Regular Session,

1 1973, are amended to read as follows:

2 (a) For the purpose of providing a source of water supply
3 for cities and other users for agricultural, municipal, domestic,
4 industrial, oil field flooding, and mining purposes, as authorized
5 by this Act, and for the purpose of carrying out any other power or
6 authority conferred by this Act, the district [~~Authority~~] is
7 empowered to issue its negotiable bonds to be payable from revenues
8 or taxes or both revenues and taxes of the district [~~Authority~~] as
9 are pledged by resolution of the board [~~Board of Directors~~].
10 Pending the issuance of definitive bonds the board [~~Board~~] may
11 authorize the delivery of negotiable interim bonds or notes,
12 eligible for exchange or substitution by use of the definitive
13 bonds.

14 (b) Such bonds shall be authorized by resolution of the
15 board [~~Board of Directors~~] and shall be issued in the name of the
16 district [~~Authority~~], signed by the president or vice president,
17 attested by the secretary and shall bear the seal of the district
18 [~~Authority~~]. It is provided, however, that the signatures of the
19 president or of the secretary or of both may be printed or
20 lithographed on the bonds if authorized by the board [~~Board of~~
21 ~~Directors~~], and that the seal of the district [~~Authority~~] may be
22 impressed on the bonds or may be printed or lithographed thereon.
23 The bonds shall mature serially or otherwise in not to exceed forty
24 (40) years and may be sold at a price and under terms determined by
25 the board [~~Board of Directors~~] to be the most advantageous
26 reasonably obtainable[, ~~provided that the interest cost to the~~
27 ~~Authority, including the discount, if any, shall bear interest at~~

1 ~~any rate per annum permitted by the Constitution and laws of the~~
2 ~~State as shall be determined by the Board of Directors,~~] and within
3 the discretion of the board [~~Board~~] may be made callable prior to
4 maturity at such times and prices as may be prescribed in the
5 resolution authorizing the bonds, and may be made registrable as to
6 principal or as to both principal and interest.

7 (d) The bonds may be secured by a pledge of all or part of
8 the net revenue of the district [~~Authority~~], or by the net revenues
9 of any one (1) or more contracts theretofore or thereafter made or
10 other revenue or income specified by resolution of the board [~~Board~~
11 ~~of Directors~~] or in the trust indenture. Any such pledge may
12 reserve the right, under conditions therein specified, to issue
13 additional bonds which will be on a parity with or subordinate to
14 the bonds then being issued. The term "net revenues" as used in
15 this Section shall mean the gross revenues and income of the
16 district [~~Authority~~] from all sources after deduction of the amount
17 necessary to pay the cost of maintaining and operating the district
18 [~~Authority~~] and its properties.

19 (e) The district [~~Authority~~] is also empowered to issue
20 bonds payable from ad valorem taxes to be levied on all taxable
21 property therein, or to issue bonds secured by and payable from both
22 such taxes and the revenues of the district [~~Authority~~]. Where
23 bonds are issued payable wholly or partially from ad valorem taxes,
24 it shall be the duty of the board [~~Board of Directors~~] to levy a tax
25 sufficient to pay the bonds and the interest thereon as such bonds
26 and interest become due without limit as to the rate or the amount,
27 but the rate of the tax for any year may be fixed after giving

1 consideration to the money received from the pledged revenues which
2 may be available for payment of principal and interest to the extent
3 and in the manner permitted by the resolution authorizing the
4 issuance of the bonds.

5 (f) Where bonds payable wholly from revenues are issued, it
6 shall be the duty of the board [~~Board of Directors~~] to fix, and from
7 time to time to revise, the rates of compensation for water sold and
8 services rendered by the district [~~Authority~~] which will be
9 sufficient to pay the expense of operating and maintaining the
10 facilities of the district [~~Authority~~] and to pay the bonds as they
11 mature and the interest as it accrues and to maintain the reserve
12 and other funds as provided in the resolution authorizing the
13 bonds. Where bonds payable partially from revenues are issued it
14 shall be the duty of the board [~~Board~~] to fix, and from time to time
15 to revise, the rate of compensation for water sold and services
16 rendered by the district [~~Authority~~] which will be sufficient to
17 assure compliance with the resolution authorizing the bonds.

18 (g) From the proceeds from the sale of the bonds, the
19 district [~~Authority~~] may set aside an amount for the payment of
20 interest expected to accrue during construction and a reserve
21 interest and sinking fund, and such provision may be made in the
22 resolution authorizing the bonds. Proceeds from the sale of the
23 bonds may also be used for the payment of all expenses necessarily
24 incurred in accomplishing the purpose for which this district
25 [~~Authority~~] is created, including expenses of issuing and selling
26 the bonds. The proceeds from the sale of the bonds may be
27 temporarily invested in direct obligations of the United States

1 Government maturing in not more than one (1) year from the date of
2 investment.

3 (h) In the event of a default or a threatened default in the
4 payment of principal or of interest on bonds payable wholly or
5 partially from revenues, any court of competent jurisdiction may,
6 upon petition of the holders of outstanding bonds, appoint a
7 receiver with authority to collect and receive all income of the
8 district [~~Authority~~] except taxes, employ and discharge agents and
9 employees of the district [~~Authority~~], take charge of funds on hand
10 (except funds received from taxes unless commingled) and manage the
11 proprietary affairs of the district [~~Attorney~~] without consent or
12 hindrance by the directors [~~Directors~~]. Such receiver may also be
13 authorized to sell or make contracts for the sale of water or renew
14 such contracts with the approval of the court appointing him. The
15 court may vest the receiver with such other powers and duties as the
16 court may find necessary for the protection of the holders of the
17 bonds. The resolution authorizing the issuance of the bonds or the
18 trust indenture securing the bonds [~~them~~] may limit or qualify the
19 rights of the holders of less than all of the outstanding bonds
20 payable from the same source to institute or prosecute any
21 litigation affecting the district's [~~Authority's~~] property or
22 income.

23 (i) Before the district [~~Authority~~] shall issue any bonds
24 for improvements authorized herein, it shall secure prior approval
25 from the commission [~~Texas Water Rights Commission~~] in the manner
26 provided by Section 51.421, Texas Water Code.

27 SECTION 5. Sections 21 and 22, Chapter 438, Acts of the 63rd

1 Legislature, Regular Session, 1973, are amended to read as follows:

2 Sec. 21. The district [~~Authority~~] is authorized to issue
3 refunding bonds for the purpose of refunding any outstanding bonds
4 authorized by this Act and interest thereon. Such refunding bonds
5 may be issued to refund more than one (1) series of outstanding
6 bonds and combine the pledges for the outstanding bonds for the
7 security of the refunding bonds, and may be secured by other or
8 additional revenues and mortgage liens. The provisions of this law
9 with reference to the issuance by the district [~~Authority~~] of other
10 bonds, their security, and their approval by the Attorney General
11 and the remedies of the holders shall be applicable to refunding
12 bonds. Refunding bonds shall be registered by the Comptroller upon
13 surrender and cancellation of the bonds to be refunded, but in lieu
14 thereof, the resolution authorizing their issuance may provide that
15 they shall be sold and the proceeds thereof deposited in the bank
16 where the original bonds are payable, in which case the refunding
17 bonds may be issued in an amount sufficient to pay the principal of
18 and the interest on the original bonds to their option date or
19 maturity date, and the Comptroller shall register them without
20 concurrent surrender and cancellation of the original bonds.

21 Sec. 22. Any bonds (including refunding bonds) authorized
22 by this law, not payable wholly from ad valorem taxes, may be
23 additionally secured by a trust indenture under which the Trustee
24 may be a bank having trust powers situated either within or outside
25 of the State of Texas. Such bonds, within the discretion of the
26 board [~~Board of Directors~~], may be additionally secured by a deed of
27 trust or mortgage lien upon physical properties of the district

1 ~~[Authority]~~ and all franchises, easements, water rights and
2 appropriation permits, leases and contracts and all rights
3 appurtenant to such properties vesting in the trustee power to sell
4 the properties for the payment of the indebtedness, power to
5 operate the properties and all other powers and authority for the
6 further security of the bonds. Such trust indenture, regardless of
7 the existence of the deed of trust or mortgage lien on the
8 properties may contain any provisions prescribed by the board
9 ~~[Board of Directors]~~ for the security of the bonds and the
10 preservation of the trust estate, and may make provision for
11 amendment or modification thereof and the issuance of bonds to
12 replace lost or mutilated bonds, and may condition the right to
13 expend district ~~[Authority]~~ money or sell district ~~[Authority]~~
14 property upon approval of a registered professional engineer
15 selected as provided therein, and may make provision for the
16 investment of funds of the district ~~[Authority]~~. Any purchaser
17 under a sale under the deed of trust lien, where one is given, shall
18 be the absolute owner of the properties, facilities and rights so
19 purchased and shall have the right to maintain and operate the same.

20 SECTION 6. Sections 23(a), (b), and (c), Chapter 438, Acts
21 of the 63rd Legislature, Regular Session, 1973, are amended to read
22 as follows:

23 (a) No bonds payable wholly or partially from ad valorem
24 taxes (except refunding bonds) shall be issued unless authorized by
25 a majority vote of the constitutionally qualified electors voting
26 at such election. ~~[No territory shall be detached from the~~
27 ~~Authority after the issuance of bonds which are payable from~~

1 ~~revenues or taxes or both.~~] Bonds not payable wholly or partially
2 from ad valorem taxes may be issued without an election.

3 (b) Such election may be called by the board [~~Board of~~
4 ~~Directors~~] without a petition. The resolution calling the election
5 shall specify the time and places of holding the same, the purpose
6 for which the bonds are to be issued, the maximum amount thereof,
7 the maximum maturity thereof, the form of the ballot, and the
8 presiding judge for each voting place. The presiding judge serving
9 at each voting place shall appoint one (1) assistant judge and at
10 least two (2) clerks to assist in holding such election. Notice of
11 the election shall be given by publishing a substantial copy
12 thereof in one (1) newspaper published in each city contained in the
13 district [~~Authority~~] for two (2) consecutive weeks. The first
14 publication shall be at least twenty-one (21) days prior to the
15 election. In any city in which no newspaper is published, notice
16 shall be given by posting a copy of the resolution in three (3)
17 public places.

18 (c) The returns of the election shall be made to and
19 canvassed by the board [~~Board of Directors of the Authority~~].

20 SECTION 7. Sections 24, 25, 26, and 27, Chapter 438, Acts of
21 the 63rd Legislature, Regular Session, 1973, are amended to read as
22 follows:

23 Sec. 24. After any bonds (including refunding bonds) are
24 authorized by the district [~~Authority~~], such bonds and the record
25 relating to their issuance shall be submitted to the Attorney
26 General for [~~his~~] examination as to the validity thereof. Where
27 such bonds recite that they are secured by a pledge of the proceeds

1 of a contract theretofore made between the district [~~Authority~~] and
2 any city or other governmental agency, authority or district, a
3 copy of such contract and the proceedings of the city or other
4 governmental agency, authority or district authorizing such
5 contract shall also be submitted to the Attorney General. If such
6 bonds have been authorized and if such contracts have been made in
7 accordance with the Constitution and laws of the State of Texas the
8 Attorney General [~~he~~] shall approve the bonds and such contracts
9 and the bonds then shall be registered by the Comptroller of Public
10 Accounts. Thereafter the bonds, and the contracts, if any, shall be
11 valid and binding and shall be incontestable for any cause.

12 Sec. 25. All bonds of the district [~~Authority~~] shall be and
13 are hereby declared to be legal and authorized investments for
14 banks, savings banks, trust companies, building and loan
15 association, savings and loan association, insurance companies,
16 fiduciaries, trustees, guardians, and for the sinking fund of
17 cities, towns, villages, counties, school districts, or other
18 political corporations or subdivisions of the State of Texas. Such
19 bonds shall be eligible to secure the deposit of any and all public
20 funds of the State of Texas, and any and all public funds of cities,
21 towns, villages, counties, school districts, or other political
22 corporations or subdivision of the State of Texas; and such bonds
23 shall be lawful and sufficient security for said deposits to the
24 extent of their value, when accompanied by all unmatured coupons
25 appurtenant thereto.

26 Sec. 26. The accomplishment of the purposes stated in this
27 Act is for the benefit of the people of this state and for the

1 improvement of their properties and industries, and the district
2 [~~Authority~~], in carrying out the purposes of this Act will be
3 performing an essential public function under the Constitution.
4 The district [~~Authority~~] shall not be required to pay any tax or
5 assessment on the project or any part thereof, and the bonds issued
6 hereunder and their transfer and the income therefrom, including
7 the profits made on the sale thereof, shall at all times be free
8 from taxation within this state.

9 Sec. 27. The district [~~Authority~~] may upon a favorable
10 majority vote of the qualified property taxpaying electors of the
11 district [~~Authority~~], voting at an election held within the
12 boundaries of the district [~~Authority~~] for that purpose, levy,
13 assess and collect annual taxes to provide funds necessary to
14 construct or acquire, maintain and operate dams, works, plants and
15 facilities deemed essential or beneficial to the district
16 [~~Authority~~] and its purposes, and also when so authorized may levy,
17 assess and collect annual taxes as provided by the Tax Code to
18 provide funds adequate to defray the cost of the maintenance,
19 operation and administration of the district [~~Authority~~];
20 provided, however, that the district [~~Authority~~] shall not have the
21 power to levy or collect a tax for the maintenance, operation, and
22 administration of the district [~~Authority~~] which exceeds fifty
23 cents (50¢) on the One Hundred Dollars (\$100) assessed valuation on
24 the property subject to taxation. Elections for the levy of such
25 taxes shall be ordered by the board [~~Board of Directors~~] and shall
26 be held and conducted in the manner provided by this law relating to
27 elections for the authorization of bonds. The board [~~Board of~~

1 ~~Directors]~~ shall designate such polling places as they deem fitting
2 and proper. ~~[All taxes levied by the Authority for any purpose~~
3 ~~shall constitute a lien on the property against which levied and~~
4 ~~shall not bar the enforcement or collection thereof.]~~

5 SECTION 8. Sections 28(a), (b), (d), (e), (f), and (h),
6 Chapter 438, Acts of the 63rd Legislature, Regular Session, 1973,
7 are amended to read as follows:

8 (a) The tax rolls of the counties situated within the
9 district ~~[Authority,~~ are hereby adopted and shall constitute the
10 tax rolls of the district ~~[Authority,~~ until assessment and tax
11 rolls shall be made by the district ~~[Authority]~~.

12 (b) If the district ~~[Authority]~~ issues and delivers bonds
13 which are payable wholly or partially from ad valorem taxes, or
14 votes the taxes as provided in Section 27 ~~[of the Authority's Act]~~,
15 the board annually shall cause the taxable property in the district
16 ~~[Authority]~~ to be rendered and assessed for ad valorem taxation,
17 and the value of such taxable property to be equalized, and the ad
18 valorem taxes in the district ~~[Authority]~~ to be collected, in
19 accordance with any of the methods set forth in this section, and
20 any method adopted shall remain in effect until changed by the
21 board.

22 (d) The laws of this State applicable to counties may be
23 adopted and shall be used to the extent pertinent and practicable,
24 provided that the board shall have the authority to act as its own
25 board of equalization or to appoint three resident, qualified
26 electors of the district ~~[Authority]~~ who own taxable property
27 therein to act as the board of equalization of the district

1 ~~[Authority]~~, and in either case the board of equalization shall
2 qualify and perform the duties prescribed by law for county
3 commissioners courts acting as boards of equalization.

4 (e) The board shall be authorized to have the taxable
5 property in the district ~~[Authority]~~ assessed, its values
6 equalized, and/or its taxes collected, in whole or in part, by the
7 tax assessors, board of equalization, and/or tax collectors,
8 respectively, of any county, city, taxing district, or other
9 governmental subdivision in which all or any part of the district
10 ~~[Authority]~~ is located; and such property may be assessed and the
11 values thereof equalized on the same basis or a different basis than
12 that used by any such governmental subdivision. Such property
13 shall be assessed, the values thereof equalized, and such taxes
14 collected in the manner and for such compensation as shall be agreed
15 on between the appropriate parties, and the functions thus assumed
16 by the officials of any such governmental subdivision shall be
17 additional duties pertaining to their offices, respectively. The
18 ad valorem tax law applicable to each such governmental subdivision
19 shall apply to its officials in carrying out such functions for the
20 district ~~[Authority]~~.

21 (f) It is specifically provided, however, that under any
22 method used all taxable property within the district ~~[Authority]~~
23 shall be assessed on the same basis, and the values thereof shall be
24 equalized by only one board of equalization, in an equal and uniform
25 manner, as required by the Texas Constitution. If the board desires
26 that taxable property shall be assessed and taxes collected by the
27 tax assessors and/or collectors of more than one governmental

1 subdivision, the board shall either act as its own board of
2 equalization or appoint three resident, qualified electors of the
3 district [~~Authority~~] who own taxable property therein to act as the
4 board of equalization, and in either case the board of equalization
5 shall qualify and perform the duties prescribed by law for county
6 commissioners courts acting as boards of equalization.

7 (h) If the district [~~Authority~~] issues and delivers bonds
8 payable wholly or partially from ad valorem taxes, the board
9 [~~Board~~] shall levy and cause to be assessed and collected ad valorem
10 taxes sufficient to pay the interest on and principal of said bonds,
11 without limit as to the rate or the amount [~~, after giving~~
12 ~~consideration to any revenues that may be pledged to the payment of~~
13 ~~bonds~~].

14 SECTION 9. Chapter 438, Acts of the 63rd Legislature,
15 Regular Session, 1973, is amended by amending Section 29 and adding
16 Sections 1B, 3A, 3B, 3C, 13A, 19A, 19B, 19C, 19D, 19E, 19F, and 19G
17 to read as follows:

18 Sec. 29. (a) The board [~~Board of Directors~~] shall designate
19 one (1) or more banks within the district [~~Authority~~] to serve as
20 depository for the funds of the district [~~Authority~~]. All funds of
21 the district [~~Authority~~] shall be deposited in such depository bank
22 or banks except that funds pledged to pay bonds may be deposited
23 with the trustee bank named in the trust agreement, and except that
24 funds shall be remitted to the bank of payment for the payment of
25 principal of and interest on bonds. To the extent that funds in the
26 depository banks and the trustee bank are not insured by the
27 F.D.I.C. they shall be secured in the manner provided by law for the

1 security of county funds.

2 (b) Before designating a depository bank or banks, the board
3 [~~Board of Directors~~] shall issue a notice stating the time and place
4 when and where the board [~~Board~~] will meet for such purpose and
5 inviting the banks in the district [~~Authority~~] to submit
6 applications to be designated depositories. The term of service
7 for depositories shall be prescribed by the board [~~Board~~]. Such
8 notice shall be published one (1) time in a newspaper or newspapers
9 published in the district [~~Authority~~] and specified by the board
10 [~~Board~~].

11 (c) At the time mentioned in the notice, the board [~~Board~~]
12 shall consider the applications and the management and condition of
13 the banks filing them, and shall designate as depositories the bank
14 or banks which offer the most favorable terms and conditions for the
15 handling of the funds of the district [~~Authority~~] and which the
16 board [~~Board~~] finds have proper management and are in condition to
17 warrant handling of district [~~Authority~~] funds. Membership on the
18 board [~~Board of Directors~~] of an officer or director of a bank shall
19 not disqualify such bank from being designated as depository.

20 (d) If no applications are received by the time stated in
21 the notice, the board [~~Board~~] shall designate some bank or banks
22 within or without the district [~~Authority~~] upon such terms and
23 conditions as it may find advantageous to the district [~~Authority~~].

24 Sec. 1B. In this Act:

25 (1) "Board" means the district's board of directors.

26 (2) "Commission" means the Texas Commission on
27 Environmental Quality.

1 (3) "Director" means a member of the board.

2 (4) "District" means the Palo Duro Water District.

3 (5) "Member entity" means a county or municipality
4 that is a member of the district.

5 Sec. 3A. The district may:

6 (1) develop and generate electric energy by means of
7 renewable energy resources inside the boundaries of the district;
8 and

9 (2) distribute and sell electric energy to:

10 (A) an entity that operates in the Electric
11 Reliability Council of Texas power region;

12 (B) an entity that operates in the Southwest
13 Power Pool power region; or

14 (C) an electric cooperative, as defined by
15 Section 161.002, Utilities Code, that operates in this state.

16 Sec. 3B. Section 3A does not require an entity described by
17 that section to build a new transmission line. Grid
18 interconnection made for the purposes of Section 3A does not
19 subject an entity described by that section to the jurisdiction of
20 the Federal Energy Regulatory Commission and does not affect the
21 jurisdiction of the Federal Energy Regulatory Commission over an
22 entity over which the commission already has jurisdiction.

23 Sec. 3C. The district may:

24 (1) lease the hunting rights on property owned by the
25 district; and

26 (2) develop, manage, or lease property owned by the
27 district for any recreational purpose.

1 Sec. 13A. (a) A county or municipality may withdraw from
2 the district or the district may dissolve according to this
3 section.

4 (b) In order to withdraw from the district or to dissolve
5 the district, the governing body of a member entity must issue an
6 order or pass a resolution declaring the intent to withdraw from or
7 dissolve the district. The order or resolution must state:

8 (1) the intention to either withdraw from the district
9 or call for the dissolution of the district; and

10 (2) the reasons supporting the withdrawal or
11 dissolution.

12 (c) Not later than the 30th day after the date the district
13 receives an order or resolution under Subsection (b), the district
14 shall hold a public hearing on the matter described by the order or
15 resolution.

16 (d) In the event of a proposed withdrawal or dissolution
17 under this section, the member entities must reach a financial
18 agreement that:

19 (1) for a withdrawal of a county or municipality from
20 the district, provides for sufficient revenue for maintaining the
21 Palo Duro Reservoir and the dam that impounds the water in the
22 reservoir; or

23 (2) for a dissolution of the district, provides for
24 the transfer of:

25 (A) the ownership rights of the dam to an entity
26 that assumes responsibility for the maintenance of the dam and
27 liability for actions related to the dam;

1 (B) all assets and liabilities of the district to
2 other entities; and

3 (C) the responsibility for the continued
4 provision of services, if the district provides services.

5 (e) The board must provide an opportunity for the public to
6 comment on the financial agreement described by Subsection (d)
7 before the board votes as described by Subsection (f). The period
8 for public comment must last not less than 10 days.

9 (f) After consideration of the public comments submitted
10 under Subsection (e), the board shall vote on the issue described by
11 the order or resolution under Subsection (b). The board may proceed
12 with the withdrawal or dissolution only if two-thirds of all of the
13 members of the board vote in favor of withdrawal or dissolution.

14 (g) If the board votes in favor of withdrawal or dissolution
15 as provided by Subsection (f), the governing body of each member
16 entity shall vote on the matter of withdrawal or dissolution.

17 (h) A withdrawal or dissolution authorized under this
18 section does not take effect until:

19 (1) the governing body of each county and municipality
20 has voted in favor of withdrawal or dissolution;

21 (2) all conditions specified in the financial
22 agreement described by Subsection (d) have been met; and

23 (3) all actions described in the financial agreement
24 described by Subsection (d) have been completed.

25 Sec. 19A. The board shall develop and implement policies
26 that provide the public with a reasonable opportunity to appear
27 before the board and to speak on any agenda item at board meetings.

1 Sec. 19B. A director who has a financial interest in a
2 contract under consideration by the district for the purchase,
3 sale, lease, rental, or supply of property, including supplies,
4 materials, and equipment, or the construction of facilities, shall
5 disclose that fact to the other members of the board and may not
6 vote on or participate in discussions during board meetings on the
7 acceptance of the contract. A financial interest of a director does
8 not affect the validity of a contract if disclosure is made and the
9 director with the financial interest does not vote on the question
10 of entering into the contract.

11 Sec. 19C. Not earlier than the 10th day after the date a
12 director receives written notice of a charge against the director,
13 and after an opportunity to be heard in person or through the
14 appearance of counsel at a public hearing on the matter of the
15 charge described by the notice, the board may remove a director for:

- 16 (1) inefficiency;
17 (2) neglect of duty; or
18 (3) misconduct in office.

19 Sec. 19D. (a) A person who is appointed to and qualifies
20 for office as a director may not vote, deliberate, or be counted as
21 a director in attendance at a meeting of the board until the person
22 completes a training program that complies with this section.

23 (b) The training program must provide the person with
24 information regarding:

- 25 (1) the law governing district operations;
26 (2) the programs, functions, rules, and budget of the
27 district;

1 (3) the scope of and limitations on the rulemaking
2 authority of the district;

3 (4) the results of the most recent formal audit of the
4 district;

5 (5) the requirements of:

6 (A) laws relating to open meetings, public
7 information, administrative procedure, and disclosing conflicts of
8 interest; and

9 (B) other laws applicable to members of the
10 governing body of a water district in performing their duties; and

11 (6) any applicable ethics policies adopted by the
12 board or the Texas Ethics Commission.

13 (c) A person appointed to the board is entitled to
14 reimbursement for the travel expenses incurred in attending the
15 training program regardless of whether the attendance at the
16 program occurs before or after the person qualifies for office.

17 (d) The board shall create a training manual that includes
18 the information required by Subsection (b). The board shall
19 distribute a copy of the training manual annually to each director.
20 On receipt of the training manual, each director shall sign a
21 statement acknowledging receipt of the training manual.

22 Sec. 19E. The board shall develop and implement policies
23 that clearly separate the policymaking responsibilities of the
24 board and the management responsibilities of the general manager
25 and staff of the district.

26 Sec. 19F. (a) The district shall maintain a system to
27 promptly and efficiently act on complaints filed with the district.

1 The district shall maintain information about parties to the
2 complaint, the subject matter of the complaint, a summary of the
3 results of the review or investigation of the complaint, and its
4 disposition.

5 (b) The district shall make information available
6 describing its procedures for complaint investigation and
7 resolution.

8 (c) The district shall periodically notify the complaint
9 parties of the status of the complaint until final disposition.

10 Sec. 19G. (a) The district shall develop a policy to
11 encourage the use of:

12 (1) negotiated rulemaking procedures under Chapter
13 2008, Government Code, for the adoption of district rules; and

14 (2) appropriate alternative dispute resolution
15 procedures under Chapter 2009, Government Code, to assist in the
16 resolution of internal and external disputes under the district's
17 jurisdiction.

18 (b) The district's procedures relating to alternative
19 dispute resolution must conform, to the extent possible, to any
20 model guidelines issued by the State Office of Administrative
21 Hearings for the use of alternative dispute resolution by state
22 agencies.

23 (c) The district shall:

24 (1) coordinate the implementation of the policy
25 adopted under Subsection (a);

26 (2) provide training as needed to implement the
27 procedures for negotiated rulemaking or alternative dispute

1 resolution; and

2 (3) collect data concerning the effectiveness of those
3 procedures.

4 SECTION 10. Section 325.025(b), Government Code, is amended
5 to read as follows:

6 (b) This section applies to the:

7 (1) Angelina and Neches River Authority;

8 (2) Bandera County River Authority and Groundwater
9 District;

10 (3) Brazos River Authority;

11 (4) Central Colorado River Authority;

12 (5) Guadalupe-Blanco River Authority;

13 (6) Lavaca-Navidad River Authority;

14 (7) Lower Colorado River Authority;

15 (8) Lower Neches Valley Authority;

16 (9) Nueces River Authority;

17 (10) [~~Palo Duro River Authority of Texas,~~

18 [~~11~~] Red River Authority of Texas;

19 (11) [~~12~~] Sabine River Authority of Texas;

20 (12) [~~13~~] San Antonio River Authority;

21 (13) [~~14~~] San Jacinto River Authority;

22 (14) [~~15~~] Sulphur River Basin Authority;

23 (15) [~~16~~] Trinity River Authority of Texas;

24 (16) [~~17~~] Upper Colorado River Authority; and

25 (17) [~~18~~] Upper Guadalupe River Authority.

26 SECTION 11. (a) The following sections of Chapter 438, Acts
27 of the 63rd Legislature, Regular Session, 1973, are repealed:

- 1 (1) Section 1A;
- 2 (2) Section 2A;
- 3 (3) Section 2B;
- 4 (4) Section 4;
- 5 (5) Section 13(e);
- 6 (6) Section 28(i); and
- 7 (7) Section 30.

8 (b) The following sections are repealed:

- 9 (1) Section 9, Chapter 115, Acts of the 64th
10 Legislature, Regular Session, 1975;
- 11 (2) Section 6, Chapter 17, Acts of the 68th
12 Legislature, Regular Session, 1983; and
- 13 (3) Section 4, Chapter 651, Acts of the 70th
14 Legislature, Regular Session, 1987.

15 SECTION 12. (a) Notwithstanding Section 19D(a), Chapter
16 438, Acts of the 63rd Legislature, Regular Session, 1973, as added
17 by this Act, a person serving on the board of directors of the Palo
18 Duro Water District, as renamed by this Act, may vote, deliberate,
19 and be counted as a director in attendance at a meeting of the board
20 until December 1, 2017.

21 (b) This section expires January 1, 2018.

22 SECTION 13. (a) The legal notice of the intention to
23 introduce this Act, setting forth the general substance of this
24 Act, has been published as provided by law, and the notice and a
25 copy of this Act have been furnished to all persons, agencies,
26 officials, or entities to which they are required to be furnished
27 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

1 Government Code.

2 (b) The governor, one of the required recipients, has
3 submitted the notice and Act to the Texas Commission on
4 Environmental Quality.

5 (c) The Texas Commission on Environmental Quality has filed
6 its recommendations relating to this Act with the governor, the
7 lieutenant governor, and the speaker of the house of
8 representatives within the required time.

9 (d) All requirements of the constitution and laws of this
10 state and the rules and procedures of the legislature with respect
11 to the notice, introduction, and passage of this Act are fulfilled
12 and accomplished.

13 SECTION 14. This Act takes effect September 1, 2017.