

## **BILL ANALYSIS**

C.S.H.B. 3462  
By: Phelan  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that the Texas Water Development Board (TWDB) has been entrusted with the flexibility to manage several financial assistance programs for political subdivisions. There have been calls to except certain TWDB consultations from state open meetings law so that the TWDB may discharge its fiduciary duties and responsibilities under state law without triggering issues under federal securities laws. C.S.H.B. 3462 seeks to address this issue by providing the TWDB the authority to consider certain financial matters in a closed meeting.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3462 amends the Water Code to authorize the Texas Water Development Board (TWDB) to hold a closed meeting to consider and discuss financial matters related to the investment or potential investment of TWDB funds. The bill requires a final action, decision, or vote on a matter considered or discussed in such a closed meeting to be made in an open meeting conducted in compliance with the notice provisions of state open meetings law.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3462 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute narrows the scope of the matters that the TWDB may consider and discuss in a closed meeting.