

By: Nevárez

H.B. No. 1502

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the Lower Colorado 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. Chapter 8503, Special District Local Laws Code,  
6 is amended by adding Sections 8503.0065, 8503.0105, 8503.0106,  
7 8503.0107, and 8503.0108 to read as follows:

8 Sec. 8503.0065. DIRECTOR TRAINING. (a) A person who is  
9 appointed to and qualifies for office as a director may not vote,  
10 deliberate, or be counted as a director in attendance at a board  
11 meeting until the person completes a training program that complies  
12 with this section.

13 (b) The training program must provide the person with  
14 information regarding:

15 (1) the law governing authority operations;

16 (2) the programs, functions, rules, and budget of the  
17 authority;

18 (3) the scope of and limitations on the rulemaking  
19 authority of the authority;

20 (4) the results of the most recent formal audit of the  
21 authority;

22 (5) the requirements of:

23 (A) laws relating to open meetings, public  
24 information, administrative procedure, and disclosure of conflicts

1 of interest; and

2 (B) other laws applicable to members of the  
3 governing body of a river authority in performing their duties; and

4 (6) any applicable ethics policies adopted by the  
5 authority or the Texas Ethics Commission.

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

10 (d) The general manager of the authority shall create a  
11 training manual that includes the information required by  
12 Subsection (b) of this section. The general manager shall  
13 distribute a copy of the training manual annually to each director.  
14 Each director shall sign and submit to the general manager a  
15 statement acknowledging that the director has received the training  
16 manual.

17 Sec. 8503.0105. PUBLIC ENGAGEMENT POLICY. The board shall  
18 develop and implement a policy that provides a structure for public  
19 engagement in regard to water supply projects. The policy must  
20 include a clear and detailed description of how the authority will  
21 seek to actively engage stakeholders, including the possible use  
22 of:

23 (1) advisory committees;

24 (2) community panels;

25 (3) town hall meetings; and

26 (4) other strategies on a recurring basis.

27 Sec. 8503.0106. COMPLAINTS. (a) The authority shall

1 maintain a system to promptly and efficiently act on complaints  
2 filed with the authority. The authority shall maintain information  
3 about parties to the complaint, the subject matter of the  
4 complaint, a summary of the results of the review or investigation  
5 of the complaint, and its disposition.

6 (b) The authority shall make information available to the  
7 public, including on the authority's website, describing its  
8 procedures for complaint investigation and resolution.

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

11 (d) The authority shall develop a standard form and a  
12 procedure for submitting complaints to the authority and shall make  
13 that form and procedure available on the authority's website. The  
14 authority shall also make available on its website clear  
15 information about what a person making a complaint should expect  
16 after the complaint is filed, including timelines for response and  
17 resolution.

18 Sec. 8503.0107. PUBLIC TESTIMONY. (a) In this section,  
19 "committee-of-the-whole" means a committee of the board in which  
20 every director is a member of the committee.

21 (b) The board shall develop and implement policies that  
22 provide the public with a reasonable opportunity to appear before  
23 the board and to speak on any issue under the jurisdiction of the  
24 authority.

25 (c) At each regular meeting of the board and each meeting as  
26 a committee-of-the-whole, the board shall include public testimony  
27 as a meeting agenda item and allow members of the public to comment

1 on every agenda item and other matters under the jurisdiction of the  
2 authority. The board may not deliberate or decide a matter not  
3 included in the meeting agenda except to discuss including the  
4 matter on the agenda for a subsequent meeting.

5 Sec. 8503.0108. ALTERNATIVE RULEMAKING AND DISPUTE  
6 RESOLUTION PROCEDURES. (a) The board shall develop a policy to  
7 encourage the use of:

8 (1) negotiated rulemaking procedures under Chapter  
9 2008, Government Code, for the adoption of authority rules; and

10 (2) appropriate alternative dispute resolution  
11 procedures under Chapter 2009, Government Code, to assist in the  
12 resolution of internal and external disputes under the authority's  
13 jurisdiction.

14 (b) The authority's procedures relating to alternative  
15 dispute resolution must conform, to the extent possible, to any  
16 model guidelines issued by the State Office of Administrative  
17 Hearings for the use of alternative dispute resolution by state  
18 agencies.

19 (c) The authority shall:

20 (1) coordinate the implementation of the policy  
21 adopted under Subsection (a) of this section;

22 (2) provide training as needed to implement the  
23 procedures for negotiated rulemaking or alternative dispute  
24 resolution; and

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

27 SECTION 2. Notwithstanding Section 8503.0065, Special

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1 District Local Laws Code, as added by this Act, a person serving on  
2 the board of directors of the Lower Colorado River Authority may  
3 vote, deliberate, and be counted as a director in attendance at a  
4 meeting of the board until December 1, 2019.

5 SECTION 3. This Act takes effect September 1, 2019.