

By: Watson, et al.

S.B. No. 606

A BILL TO BE ENTITLED

AN ACT

relating to the Lower Colorado River Authority, following recommendations of the Sunset Advisory Commission.

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

SECTION 1. Section 8503.0021(a), Special District Local Laws Code, is amended to read as follows:

(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 not include the management of the generation or transmission of electricity under the wholesale electricity operation of the authority and the authority's affiliated nonprofit corporations. 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, 2031 [~~2019~~], and every 12th year after that year.

SECTION 2. Chapter 8503, Special District Local Laws Code, is amended by adding Sections 8503.0065, 8503.0105, 8503.0106, 8503.0107, and 8503.0108 to read as follows:

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

(b) The training program must provide the person with

1 information regarding:

2 (1) the law governing authority operations;

3 (2) the programs, functions, rules, and budget of the
4 authority;

5 (3) the results of the most recent formal audit of the
6 authority;

7 (4) the requirements of:

8 (A) laws relating to open meetings, public
9 information, administrative procedure, and disclosure of conflicts
10 of interest; and

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

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

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

19 (d) The general manager of the authority shall create a
20 training manual that includes the information required by
21 Subsection (b). The general manager shall distribute a copy of the
22 training manual annually to each director. Each director shall
23 sign and submit to the general manager a statement acknowledging
24 that the director has received and reviewed the training manual.

25 Sec. 8503.0105. PUBLIC ENGAGEMENT POLICY. The board shall
26 develop and implement a policy that provides a structure for public
27 engagement in regard to water supply projects. The policy must

1 include a clear and detailed description of how the authority will
2 seek to actively engage stakeholders, including the possible use
3 of:

- 4 (1) advisory committees;
- 5 (2) community panels;
- 6 (3) town hall meetings; and
- 7 (4) other strategies on a recurring basis.

8 Sec. 8503.0106. COMPLAINTS. (a) The authority shall
9 maintain a system to promptly and efficiently act on complaints
10 filed with the authority. The authority shall maintain information
11 about parties to the complaint, the subject matter of the
12 complaint, a summary of the results of the review or investigation
13 of the complaint, and its disposition.

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

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

19 (d) The authority shall develop a standard form and a
20 procedure for submitting complaints to the authority and shall make
21 that form and procedure available on the authority's website. The
22 authority shall also make available on its website clear
23 information about what a person making a complaint should expect
24 after the complaint is filed, including timelines for response and
25 resolution.

26 Sec. 8503.0107. PUBLIC TESTIMONY. (a) In this section,
27 "committee-of-the-whole" means a committee of the board in which

1 every director is a member of the committee, regardless of whether
2 all members are present at a particular meeting of the
3 committee-of-the-whole.

4 (b) The board shall develop and implement policies that
5 provide the public with a reasonable opportunity to appear before
6 the board and to speak on any issue under the jurisdiction of the
7 authority.

8 (c) At each regular meeting of the board and each meeting as
9 a committee-of-the-whole, the board shall include public testimony
10 as a meeting agenda item and allow members of the public to comment
11 on every agenda item and other matters under the jurisdiction of the
12 authority. The board may not deliberate or decide a matter not
13 included in the meeting agenda except to discuss including the
14 matter on the agenda for a subsequent meeting.

15 Sec. 8503.0108. ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.

16 (a) The board shall develop a policy to encourage the use of
17 appropriate alternative dispute resolution procedures under
18 Chapter 2009, Government Code, to assist in the resolution of
19 internal and external disputes under the authority's jurisdiction.

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

25 (c) The authority shall:

26 (1) coordinate the implementation of the policy
27 adopted under Subsection (a);

1 (2) provide training as needed to implement the
2 procedures for alternative dispute resolution; and

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

5 SECTION 3. Notwithstanding Section 8503.0065, Special
6 District Local Laws Code, as added by this Act, a person serving on
7 the board of directors of the Lower Colorado River Authority may
8 vote, deliberate, and be counted as a director in attendance at a
9 meeting of the board until December 1, 2019.

10 SECTION 4. This Act takes effect September 1, 2019.