

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 information regarding:

1 (1) the law governing authority operations;

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

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

6 (4) the requirements of:

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

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

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

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

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

24 Sec. 8503.0105. PUBLIC ENGAGEMENT POLICY. The board shall
25 develop and implement a policy that provides a structure for public
26 engagement in regard to water supply projects. The policy must
27 include a clear and detailed description of how the authority will
28 seek to actively engage stakeholders, including the possible use

1 of:

2 (1) advisory committees;

3 (2) community panels;

4 (3) town hall meetings; and

5 (4) other strategies on a recurring basis.

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

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

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

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

24 Sec. 8503.0107. PUBLIC TESTIMONY. (a) In this section,
25 "committee-of-the-whole" means a committee of the board in which
26 every director is a member of the committee, regardless of whether
27 all members are present at a particular meeting of the
28 committee-of-the-whole.

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

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

12 Sec. 8503.0108. ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.

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

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

22 (c) The authority shall:

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

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

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

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

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 606 passed the Senate on
April 15, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 606 passed the House on
April 26, 2019, by the following vote: Yeas 137, Nays 0, two
present not voting.

Chief Clerk of the House

Approved:

Date

Governor