

By: Hinojosa

S.B. No. 911

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the supervision of water districts by the Texas  
3 Commission on Environmental Quality.

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

5 SECTION 1. Section 12.081(a), Water Code, is amended to  
6 read as follows:

7 (a) The powers and duties of all districts and authorities  
8 created under Article III, Section 52 and Article XVI, Section 59 of  
9 the Texas Constitution are subject to the continuing right of  
10 supervision of the State of Texas by and through the commission or  
11 its successor, and this supervision may include but is not limited  
12 to the authority to:

13 (1) inquire into the qualifications [~~competence,~~  
14 ~~fitness, and reputation~~] of the officers and directors of any  
15 district or authority;

16 (2) require, on its own motion or on complaint by any  
17 person, audits or other financial information, inspections,  
18 evaluations, and engineering reports;

19 (3) issue subpoenas for witnesses to carry out its  
20 authority under this subsection;

21 (4) institute investigations and hearings using  
22 examiners appointed by the commission;

23 (5) issue rules necessary to supervise the districts  
24 and authorities, except that such rules shall not apply to water

1 quality ordinances adopted by any river authority which meet or  
2 exceed minimum requirements established by the commission; and

3 (6) the right of supervision granted herein shall not  
4 apply to matters relating to electric utility operations.

5 SECTION 2. Sections 49.102(e) and (f), Water Code, are  
6 amended to read as follows:

7 (e) If a majority of the votes cast in the election favor the  
8 creation of the district, then the temporary board shall declare  
9 that the district is created and enter the result in its minutes.  
10 If a majority of the votes cast in the election are against the  
11 creation of the district, the temporary board shall declare that  
12 the district was defeated and enter the result in its minutes. A  
13 copy of the order shall be filed with the commission not later than  
14 the 30th day after the date of the election.

15 (f) The order canvassing the results of the confirmation  
16 election shall contain a description of the district's boundaries  
17 and shall be filed with the executive director and in the deed  
18 records of the county or counties in which the district is located  
19 not later than the 30th day after the date of the election.

20 SECTION 3. Section 49.195(a), Water Code, is amended to  
21 read as follows:

22 (a) The executive director may review the audit report of  
23 each district. After reviewing the audit report, the executive  
24 director may request additional information from the district. The  
25 district shall provide the additional information not later than  
26 the 60th day after the date the request was received, unless the  
27 executive director extends the time allowed for the district to

1 provide additional information for good cause.

2 SECTION 4. Section 49.196(a), Water Code, is amended to  
3 read as follows:

4 (a) The executive director may review and investigate a  
5 district's financial records and may conduct an on-site audit of a  
6 district's financial information. The executive director shall  
7 have access to all vouchers, receipts, district fiscal and  
8 financial records, and other district records the executive  
9 director considers necessary.

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