

1-1 By: Hinojosa S.B. No. 911
 1-2 (In the Senate - Filed February 19, 2019; March 1, 2019,
 1-3 read first time and referred to Committee on Water & Rural Affairs;
 1-4 May 1, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 0; May 1, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 911 By: Creighton

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the supervision of water districts by the Texas
 1-20 Commission on Environmental Quality.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 12.081(a), Water Code, is amended to
 1-23 read as follows:

1-24 (a) The powers and duties of all districts and authorities
 1-25 created under Article III, Section 52 and Article XVI, Section 59 of
 1-26 the Texas Constitution are subject to the continuing right of
 1-27 supervision of the State of Texas by and through the commission or
 1-28 its successor, and this supervision may include but is not limited
 1-29 to the authority to:

1-30 (1) inquire into the qualifications [~~competence,~~
 1-31 ~~fitness, and reputation~~] of the officers and directors of any
 1-32 district or authority;

1-33 (2) require, on its own motion or on complaint by any
 1-34 person, audits or other financial information, inspections,
 1-35 evaluations, and engineering reports;

1-36 (3) issue subpoenas for witnesses to carry out its
 1-37 authority under this subsection;

1-38 (4) institute investigations and hearings using
 1-39 examiners appointed by the commission;

1-40 (5) issue rules necessary to supervise the districts
 1-41 and authorities, except that such rules shall not apply to water
 1-42 quality ordinances adopted by any river authority which meet or
 1-43 exceed minimum requirements established by the commission; and

1-44 (6) the right of supervision granted herein shall not
 1-45 apply to matters relating to electric utility operations.

1-46 SECTION 2. Sections 49.102(e) and (f), Water Code, are
 1-47 amended to read as follows:

1-48 (e) If a majority of the votes cast in the election favor the
 1-49 creation of the district, then the temporary board shall declare
 1-50 that the district is created and enter the result in its minutes.
 1-51 If a majority of the votes cast in the election are against the
 1-52 creation of the district, the temporary board shall declare that
 1-53 the district was defeated and enter the result in its minutes. A
 1-54 copy of the order shall be filed with the commission not later than
 1-55 the 30th day after the date of the election.

1-56 (f) The order canvassing the results of the confirmation
 1-57 election shall contain a description of the district's boundaries
 1-58 and shall be filed with the executive director and in the deed
 1-59 records of the county or counties in which the district is located
 1-60 not later than the 30th day after the date of the election.

2-1 SECTION 3. Section 49.195(a), Water Code, is amended to
2-2 read as follows:

2-3 (a) The executive director may review the audit report of
2-4 each district. After reviewing the audit report, the executive
2-5 director may request additional information from the district. The
2-6 district shall provide the additional information not later than
2-7 the 60th day after the date the request was received, unless the
2-8 executive director extends the time allowed for the district to
2-9 provide additional information for good cause.

2-10 SECTION 4. Section 49.196(a), Water Code, is amended to
2-11 read as follows:

2-12 (a) The executive director may review and investigate a
2-13 district's financial records and may conduct an on-site audit of a
2-14 district's financial information. The executive director shall
2-15 have access to all vouchers, receipts, district fiscal and
2-16 financial records, and other district records the executive
2-17 director considers necessary.

2-18 SECTION 5. This Act takes effect September 1, 2019.

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