

## **BILL ANALYSIS**

Senate Research Center  
87R1344 BRG-F

H.B. 374  
By: Smith; Holland (Springer)  
Administration  
5/4/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The United States determined the boundary between Texas and Oklahoma in 1921 to be the south bank of the Red River, which has remained the boundary through the years. However, the border fluctuates as a result of the natural action of the river.

In 1996, Texas and Oklahoma agreed to create the Red River Boundary Commission to solve the border dispute and establish an identifiable boundary between Texas and Oklahoma along the Red River without interfering with or otherwise affecting private property rights or title to a property. The commission worked to better define the boundary through a compact, known as the Red River Compact. This compact was adopted into Texas law by the 76th Legislature, Regular Session, 1999, with the passage of H.B. 1355.

According to interested parties, a comparison of the resulting Texas-Oklahoma boundary and the United States Army Corps of Engineers' historical records and other documentation indicates that the boundary in the Texoma area is not located in accordance with the United States Army Corps of Engineers' pre-construction survey. The concern with the current boundary is that the Red River Boundary Commission discovered a pump station owned by the North Texas Municipal Water District on the river's Oklahoma side.

In 2013, the 83rd Legislature, Regular Session, passed H.B. 3212, which re-created the Red River Boundary Commission to work with the representatives appointed on behalf of Oklahoma to determine the current Texas-Oklahoma boundary and how to redraw the boundary in the Texoma area in accordance with the compact, to negate any effect the currently drawn boundary has on Texas real property interests in the Texoma area.

Initially, the commission was set to expire in 2015; it was extended in 2015 and again in 2017. This bill simply extends the Red River Boundary Commission's existence until 2023 to give the two states time to come to an amicable agreement.

H.B. 374 amends current law relating to the continuation of the Red River Boundary Commission.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 12.057(b), Natural Resources Code, to require the Red River Boundary Commission, not later than July 30, 2023, rather than 2021, to issue a final report to the governor, lieutenant governor, speaker of the Texas House of Representatives, and appropriate committees of the legislature.

SECTION 2. Amends Section 12.058, Natural Resources Code, to provide that Subchapter B (Red River Boundary Commission) expires December 31, 2023, rather than 2021.

SECTION 3. Effective date: upon passage or September 1, 2021.