

BILL ANALYSIS

C.S.H.B. 1545
By: Clardy
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The State Soil and Water Conservation Board (TSSWCB) supports the state's 216 local soil and water conservation districts through state and federal grants and, together with these local districts, works with landowners to encourage voluntary natural resource conservation throughout Texas. TSSWCB's responsibilities have increased over the last decade to include addressing agricultural and forestry-related water pollution and providing funding to help maintain, repair, and rehabilitate the more than 2,000 flood control dams built in Texas by the USDA Natural Resources Conservation Service. The Sunset Advisory Commission, as part of its review of the agency, found TSSWCB successfully works with landowners on conservation. However, to better position TSSWCB to transparently and effectively handle the significant growth of the agency's budget and responsibilities, the sunset commission recommended several changes be made to improve TSSWCB's grant administration and management practices related to the dam structural repair grant program.

C.S.H.B. 1545 seeks to continue TSSWCB until 2035, with a limited-scope review in the 2026-2027 biennium focused on the dam structural repair grant program, while also making various statutory modifications to implement the sunset commission recommendations. Moreover, the bill seeks to update the Texas Invasive Species Coordinating Committee's governing statute to reflect the committee's current needs and core function of interagency coordination.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

State Soil and Water Conservation Board

C.S.H.B. 1545 amends the Agriculture Code to continue the State Soil and Water Conservation Board (TSSWCB) under the Texas Sunset Act until September 1, 2035, and to remove language that subjects statutory provisions relating to soil and water conservation to expiration under that act.

C.S.H.B. 1545 codifies TSSWCB's dam structural repair grant program by requiring TSSWCB to develop and implement a grant program to provide grants for the structural repair and

maintenance of flood control dams. The bill requires TSSWCB, with input from stakeholders, to do the following:

- establish goals, criteria, and metrics for the grant program; and
- assess the need for funding the structural repair and maintenance of flood control dams throughout Texas, including the number of projects a grant sponsor can complete each year.

C.S.H.B. 1545 requires TSSWCB, in adopting rules or policies for the grant program, to do the following:

- ensure any local matching fund requirement adopted by TSSWCB accounts for the financial capacity of the grant sponsor; and
- consider dams that are classified as high-hazard by the Texas Commission on Environmental Quality.

The bill requires TSSWCB to ensure guidance documents for the grant program, including its 10-year dam repair, rehabilitation, and maintenance plan, are consistent with the established goals, criteria, and metrics for the program. The bill requires TSSWCB to consider the timelines for grant applications for the grant program when preparing and adopting a 10-year plan.

C.S.H.B. 1545 requires the Sunset Advisory Commission to conduct a limited-scope review of TSSWCB for the 90th Legislature to review the grant program. The commission's recommendations to the 90th Legislature may include any recommendation the commission considers appropriate based on the limited-scope review.

C.S.H.B. 1545 revises provisions governing TSSWCB to implement across-the-board Sunset Advisory Commission policy recommendations related to the following:

- TSSWCB member training requirements;
- separation of TSSWCB and staff responsibilities; and
- TSSWCB complaint procedures.

The bill provides for the transition to the new training requirements for current TSSWCB members.

Texas Invasive Species Coordinating Committee

C.S.H.B. 1545 amends the Government Code to remove language subjecting the Texas Invasive Species Coordinating Committee to expiration under the Texas Sunset Act and to require the committee instead to be reviewed during each sunset review cycle in which TSSWCB is reviewed.

C.S.H.B. 1545 replaces the requirement for the committee to do the following with an authorization for it to do so:

- serve as a catalyst for cooperation between state agencies in the area of invasive species control;
- facilitate governmental efforts, including efforts of local governments and special districts, to prevent and manage invasive species;
- make recommendations to state agencies regarding research, technology transfer, and management actions related to invasive species control;
- provide technical information and input to regional and national invasive species control coordination efforts, including the National Invasive Species Management Plan;
- facilitate the review of committee technical decisions and work product by specialists and interested persons; and
- report as needed to the governor, lieutenant governor, and speaker of the house of representatives on committee plans, work product, and accomplishments.

C.S.H.B. 1545 requires the committee to meet at least annually at the call of the committee chair or TSSWCB's representative on the committee and requires TSSWCB to ensure the committee meets at least annually.

Repealer

C.S.H.B. 1545 repeals Section 776.006(b), Government Code, which requires TSSWCB to provide one full-time equivalent employee to serve as the committee's coordinator.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1545 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a procedural provision absent from the introduced providing for the transition to the new training requirements for current TSSWCB members.