

1-1 By: Clardy, et al. (Senate Sponsor - Johnson) H.B. No. 1535
 1-2 (In the Senate - Received from the House April 26, 2023;
 1-3 May 1, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 4, 2023, reported favorably by the
 1-5 following vote: Yeas 9, Nays 0; May 4, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

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

1-19 relating to the San Antonio River Authority, following
 1-20 recommendations of the Sunset Advisory Commission; altering the
 1-21 terms of office of the members of the board of directors of the
 1-22 authority.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 1-a(a), Chapter 276, Acts of the 45th
 1-25 Legislature, Regular Session, 1937, is amended to read as follows:

1-26 (a) The District is subject to review under Chapter 325,
 1-27 Government Code (Texas Sunset Act), but may not be abolished under
 1-28 that chapter. The review shall be conducted under Section 325.025,
 1-29 Government Code, as if the District were a state agency scheduled to
 1-30 be abolished September 1, 2035 [~~2023~~], and every 12th year after
 1-31 that year.

1-32 SECTION 2. Section 3, Chapter 276, Acts of the 45th
 1-33 Legislature, Regular Session, 1937, is amended to read as follows:

1-34 Sec. 3. POWERS OF THE DISTRICT. The District is hereby
 1-35 invested with all of the powers of the State of Texas under Article
 1-36 16, Section 59, of the Constitution of the State of Texas to
 1-37 effectuate the construction, maintenance and operation of
 1-38 navigable canals or waterways, to effectuate flood control, to
 1-39 effectuate the conservation and use, for all beneficial purposes,
 1-40 of ground, storm, flood and unappropriated flow waters in the
 1-41 District, to effectuate irrigation, to effectuate soil
 1-42 conservation, to effectuate sewage treatment, to effectuate
 1-43 pollution prevention, to encourage and develop parks, recreational
 1-44 facilities and to preserve fish, to effectuate forestation and
 1-45 reforestation, and to do all things as are required therefor,
 1-46 subject only to: (i) declarations of policy by the Legislature of
 1-47 the State of Texas as to the use of water; (ii) continuing
 1-48 supervision and control by the State Board of Water Engineers and
 1-49 any board or agency which may thereafter succeed to its duties;
 1-50 (iii) the provisions of Section 4, page 212, Acts of the
 1-51 Thirty-fifth Legislature, 1917, as subsequently amended (codified
 1-52 under Article 7471, Vernon's Civil Statutes of the State of Texas),
 1-53 prescribing the priorities of uses for water; and (iv) the rights
 1-54 heretofore or hereafter legally acquired in water by municipalities
 1-55 and other users. Subject to the foregoing, it shall be the duty of
 1-56 the District to exercise for the greatest practicable measure of
 1-57 the conservation and beneficial utilization of all ground, storm,
 1-58 flood and unappropriated flow waters of the District, in the manner
 1-59 and for the particular purposes specified hereinafter in this
 1-60 Section 3 and elsewhere in this Act the following powers, rights,
 1-61 privileges and functions, to wit:

2-1 (a) Navigation:

2-2 (1) To promote, construct, maintain and operate, and/or to
2-3 make practicable, promote, aid and encourage, the construction,
2-4 maintenance and operation of navigable canals or waterways and all
2-5 navigational systems or facilities auxiliary thereto using the
2-6 natural bed and banks of the San Antonio River to its junction with
2-7 the Guadalupe River where practicable and thence traversing such
2-8 route as may be found by the District to be most feasible and
2-9 practicable to connect with the Intracoastal Canal and/or with any
2-10 new canal to be constructed and/or with any harbor at or near San
2-11 Antonio Bay or the Gulf of Mexico, and also using such new
2-12 correlated artificial waterways, together with all locks and other
2-13 works, structures and artificial facilities as may be necessary and
2-14 convenient for the construction, maintenance and operation of said
2-15 navigable canals or waterways and all navigational systems or
2-16 facilities auxiliary thereto. The District is empowered to
2-17 construct, or cause to be constructed, said system of artificial
2-18 waterways, canals, locks, works and other facilities so as to
2-19 connect the watershed area of the San Antonio River, including
2-20 navigation to or at a point near the City of San Antonio, with the
2-21 Intracoastal Canal and/or with any new canal to be constructed
2-22 and/or with any harbor at or near San Antonio Bay or the Gulf of
2-23 Mexico;

2-24 (2) To control, develop, store and use the natural flow and
2-25 floodwaters of the San Antonio River and its tributaries for the
2-26 purpose of operating and maintaining said navigable canals or
2-27 waterways and all navigational systems or facilities auxiliary
2-28 thereto, provided, however, that such navigational use shall be
2-29 subordinate to consumptive use of water, and navigation shall be
2-30 incidental thereto;

2-31 (3) In the case of the construction of said navigable canals
2-32 or waterways and all navigational systems or facilities auxiliary
2-33 thereto by the Federal Government or otherwise, the District shall
2-34 have the power to construct, maintain and operate lateral
2-35 connecting canals and turning basins to serve local needs, and
2-36 shall also have the power to provide, construct, acquire, purchase,
2-37 take over, lease from others, lease to others, and to maintain and
2-38 operate, develop, regulate and/or by franchise control wharves,
2-39 docks, warehouses, grain elevators, bunkering facilities, belt or
2-40 terminal railroads, floating plants, lighterage, towing
2-41 facilities, and all other facilities incident to or in aid of the
2-42 efficient operation and development of said canals or waterways and
2-43 all navigational systems or facilities auxiliary thereto, and any
2-44 ports incident thereto, whether the same be upon land or upon water;

2-45 (4) In the event the construction and/or maintenance and
2-46 operation of said navigable canals or waterways and all
2-47 navigational systems or facilities auxiliary thereto is taken over
2-48 by the Federal Government or any agency of the Federal Government,
2-49 then and in such event the District shall be fully authorized to
2-50 make and enter into any such contracts as may be lawfully required
2-51 by the Federal Government, including such assignments and transfers
2-52 of property and rights of property and easements and privileges and
2-53 any and all other lawful things and acts may be necessary and
2-54 required in order to meet the requirements of the Federal
2-55 Government or any agency of the Federal Government in taking over
2-56 the construction and/or maintenance and operation of said navigable
2-57 canals or waterways and all navigational systems or facilities
2-58 auxiliary thereto;

2-59 (5) The District may grant a franchise or right to any
2-60 person or body politic or corporate for the use of said navigable
2-61 canals or waterways and all navigational systems or facilities
2-62 auxiliary thereto or any facility thereof in aiding navigation and
2-63 no person or body politic or corporate may provide, maintain or
2-64 operate any facility of aid of navigation in any way connected with
2-65 said navigable canals or waterways and all navigational systems or
2-66 facilities auxiliary thereto and intended for use by the public
2-67 within the meaning and intent of this Act, except by and under the
2-68 franchise granted by this District, in the form of an ordinance as
2-69 provided by this Act, which franchise may be for any term not to

3-1 exceed fifty (50) years. Such ordinance granting franchise may
3-2 contain provisions for the payment of reasonable fees, and/or other
3-3 charges to be paid to the District, and shall contain provisions
3-4 adequate to regulate the fees, tolls, rates or exactions to be
3-5 demanded for the use of, or service to be rendered by any means or
3-6 facility to be provided or operated under any such franchise, to the
3-7 end that the same will be uniform, reasonable, and without
3-8 discrimination against any person, both as to charges and the
3-9 conditions of use or service, and such ordinance shall contain all
3-10 provisions reasonably required to procure service adequate to serve
3-11 the public necessity and convenience. The District may grant a
3-12 franchise for the design, construction, repair, enlargement,
3-13 alteration, maintenance, operation of, and service from, or use of
3-14 any facility to be provided for use in aid of navigation on said
3-15 navigable canals or water ways and all navigational systems or
3-16 facilities auxiliary thereto, whether upon land, or in or upon
3-17 water. The right hereby granted shall include the right to require
3-18 uniform and adequate analytic accounting systems and forms,
3-19 periodic verified reports based thereon, and the right of audit by
3-20 the District, and other reasonable regulations designed to protect
3-21 the public. In order to procure observance of the conditions of a
3-22 franchise granted hereunder, and/or compliance with the rules and
3-23 regulations established by ordinance of the District (to be adopted
3-24 and promulgated as elsewhere is provided in this Act) hereunder,
3-25 such ordinance may provide reasonable and commensurate penalties as
3-26 provided by Section 49.004, Water Code [~~fixed by General Law in~~
3-27 ~~Texas, and not to exceed the limit for penalties as fixed elsewhere~~
3-28 ~~in this Act~~]. The forfeiture or suspension of a franchise granted
3-29 under this Act, where not otherwise provided in any such franchise,
3-30 may be only because of discrimination in rendering service,
3-31 affording use, or in taking or demanding a toll, rate or charge.
3-32 Forfeiture or suspension of a franchise granted hereunder, unless
3-33 otherwise provided therein, shall be upon a decree of a District
3-34 Court within the County in which this District may maintain its
3-35 general office. The District may likewise by ordinance establish
3-36 rules necessary or designed to protect the physical property owned
3-37 by it, or physical property owned or operated by another under a
3-38 franchise hereunder granted, and/or to effect the safety or
3-39 efficient use of the same, and in such ordinance may provide
3-40 reasonable and commensurate penalties for the violation thereof, as
3-41 provided by Section 49.004, Water Code [~~which penalties shall be~~
3-42 ~~cumulative of other penalties provided by the General Law of Texas,~~
3-43 ~~and not to exceed the limit for penalties as fixed elsewhere in this~~
3-44 ~~Act~~];

3-45 (b) Flood Control and Flood Plain Management. To prevent
3-46 and aid in the prevention of damage to persons and property by the
3-47 overflow of any and all rivers, streams or tributaries thereof
3-48 within the District including the study and designation of flood
3-49 plains and the regulation thereof;

3-50 (c) Water Conservation, Storage, Procurement, Distribution
3-51 and Supply:

3-52 (1) To store and conserve to the greatest beneficial use the
3-53 storm, flood and unappropriated flow waters of any and all rivers,
3-54 streams or the tributaries thereof within the District, so as to
3-55 prevent the escape of any water without maximum beneficial use
3-56 either within or without the District;

3-57 (2) For the conservation of water for uses either within or
3-58 without the District, including providing water supply for cities
3-59 and towns, and the right to sell water and stand-by service to any
3-60 person, firm, or corporation, including cities and towns and other
3-61 public agencies within or without the District; provided that it is
3-62 the intent of this Act to establish a District that is concerned
3-63 primarily with the conservation, control, storage, distribution
3-64 and sale of water in bulk quantities in the public interest and only
3-65 incidentally with the retail sale of water insofar as it does not
3-66 compete with municipal water distributors and then only when
3-67 necessary or convenient as a service to the public;

3-68 (3) To acquire water appropriation permits either within or
3-69 without the District directly from the State Board of Water

4-1 Engineers or to purchase or otherwise acquire such permits or
4-2 certified filings either within or without the District from the
4-3 owners thereof;

4-4 (4) To purchase water, water supply facilities on
4-5 conservation storage capacity either within or without the District
4-6 from any person, firm, corporation, State agency or other public
4-7 agency, or from the United States or its agencies;

4-8 (5) To execute water supply contracts with users of water
4-9 within or without the District. Included in the services for which
4-10 the District may contract, and for which it may make charges, is
4-11 that of standby service as well as for the actual delivery of water;

4-12 (6) To provide water for the development of commercial and
4-13 industrial enterprises within or without the District;

4-14 (7) To bring water into the boundaries of the District;

4-15 (8) To construct, acquire, equip, to acquire storage rights
4-16 at, and operate and maintain dams and reservoirs, either within or
4-17 without the District, had in carrying out the powers conferred upon
4-18 the District, or to exercise such powers in conjunction with
4-19 others;

4-20 (9) To construct [~~contract~~], operate and maintain or
4-21 otherwise provide water supply lines, water purification and water
4-22 pumping systems and facilities either within or without the
4-23 District;

4-24 (10) Power to execute contracts with municipalities and
4-25 others involving the construction of reservoirs, dams, water supply
4-26 lines, water purification and pumping facilities, and the
4-27 furnishing of water supply service substantially in the manner
4-28 prescribed by Chapter 342, Acts of the Regular Session of the
4-29 Fifty-first Legislature, for Districts organized and created
4-30 pursuant to Article 16, Section 59, of the Constitution, extended
4-31 so as to permit such contracts with individuals, partnerships, and
4-32 all classes of corporations, and to permit the inclusion of
4-33 provisions for the operation, maintenance and ownership of such
4-34 properties, but the powers granted the District in this Subsection
4-35 are not to be considered a limitation on the powers, rights,
4-36 privileges and functions otherwise granted herein;

4-37 (11) To acquire from the United States Government, through
4-38 the Secretary of the Army or the Secretary of the Interior or any
4-39 other of its officials authorized to make such contracts, or from
4-40 the State of Texas or any agency thereof, or from any privately
4-41 financed reservoirs, unsold conservation storage capacity at any
4-42 dam within or without the District now constructed or to be
4-43 constructed either by or with the assistance of the United States
4-44 Government or the State of Texas, or by both. It may acquire
4-45 additional conservation storage capacity which may be provided at
4-46 any such dam;

4-47 (d) Irrigation: To provide water for irrigation of lands
4-48 within and without the District, and incident thereto, to
4-49 construct, operate and maintain supply lines and pumping systems
4-50 and facilities either within or without the District;

4-51 (e) Soil Conservation: For the conservation of soils and
4-52 other surface resources within the District against destructive
4-53 erosion, thereby preventing the increased flood menace incident
4-54 thereto, and for the prevention of sedimentation and siltation of
4-55 lands, channels and reservoirs, including the right either to act
4-56 as local sponsoring agent of upstream soil and water conservation
4-57 and flood prevention projects authorized by State or Federal
4-58 Agencies in conjunction with Soil Conservation Districts or to aid
4-59 and supplement the work of such upstream soil and water
4-60 conservation and flood prevention projects, all in furtherance of
4-61 the purposes of the District as provided by this Act [~~'Master Plan'~~
4-62 ~~as defined in Section 4-a~~]. In connection therewith, the District
4-63 is authorized to make arrangements satisfactory to the Secretary of
4-64 Agriculture of the United States for defraying costs of operating
4-65 and maintaining such projects, in accordance with regulations
4-66 presented by the Secretary of Agriculture; provided, however, that
4-67 any portion of the total construction cost of any such project which
4-68 is allocable to flood control and/or soil conservation shall be
4-69 paid for or financed by funds which have their source in the county

5-1 in which each particular project is situated and which funds may be
 5-2 of any kind or character, except taxes collected in accordance with
 5-3 the provisions of Sections 15-a and 15-b of this Act;

5-4 (f) Sewage Treatment and Solid Waste Disposal. As a
 5-5 necessary aid to the conservation, control, preservation,
 5-6 purification and distribution of surface and ground waters within
 5-7 the District, the District shall have the power to construct, own,
 5-8 operate, maintain or otherwise provide, within the San Antonio
 5-9 River Basin, sewage gathering, treatment and/or disposal services,
 5-10 including solid waste disposal services, to charge for such
 5-11 services, and to make contracts in reference thereto with counties,
 5-12 municipalities and others. Provided, however, that the District
 5-13 shall not exercise the powers hereinabove granted by this Section
 5-14 3(f) within the boundaries of Kerr, Real, or Bandera Counties
 5-15 unless the Commissioners Court of such county or counties shall
 5-16 first have consented by a majority vote thereof to the exercise of
 5-17 such power within such county or counties;

5-18 (g) Pollution Prevention. To provide for the study,
 5-19 correcting and control of both artificial and natural pollution
 5-20 including organic, inorganic and thermal, of all ground or surface
 5-21 water within the San Antonio River Basin. In this connection, the
 5-22 District is given the power by ordinance to promulgate rules and
 5-23 regulations with regard to such pollution, both artificial and
 5-24 natural, with the right of policing by said District to enforce such
 5-25 rules and regulations and of providing reasonable and commensurate
 5-26 penalties for the violation of any rules and regulations, as
 5-27 provided by Section 49.004, Water Code [~~which penalties shall be~~
 5-28 ~~cumulative of any penalties fixed by General Law in Texas, and not~~
 5-29 ~~to exceed the limit for penalties as fixed elsewhere in this Act~~].
 5-30 Provided, however, that no ordinance enacted pursuant to the powers
 5-31 hereinabove given the District by this Section 3(g) shall be
 5-32 promulgated in any county or counties outside the existing
 5-33 boundaries of the District;

5-34 (h) Parks, Recreational Facilities and Preservation of
 5-35 Fish: For the encouragement and development of parks, recreational
 5-36 facilities and the preservation of fish, the District shall have
 5-37 the power to acquire additional land adjoining any permanent work
 5-38 of improvement constructed within the District for the purpose of
 5-39 developing parks, or recreational facilities. The District may
 5-40 negotiate contracts with any county, municipality, municipal
 5-41 corporation, person, firm, corporation, non-profit organization,
 5-42 or State or Federal agency for the operation and/or maintenance of
 5-43 any such park, or recreational facility. The preservation of fish
 5-44 shall be in accordance with rules and regulations, if any,
 5-45 prescribed by the Game and Fish Commission of the State of Texas;

5-46 (i) Forestation and Reforestation: To forest and reforest
 5-47 and to aid in foresting and reforesting of all areas within the
 5-48 District;

5-49 (j) Contractual: To make contracts and to execute
 5-50 instruments necessary or convenient to the exercise of the powers,
 5-51 rights, privileges and functions conferred upon it by this Act,
 5-52 with the United States, its agencies, counties, cities, all
 5-53 municipal corporations, political subdivisions and districts, and
 5-54 with private persons, partnerships, associations, nonprofit
 5-55 organizations, and corporations. The District shall make and
 5-56 execute such contracts and instruments in accordance with the
 5-57 following procedures:

5-58 (1) Concerning any wholesale contract for the sale,
 5-59 purchase, procurement, distribution and/or supply of water or
 5-60 conservation storage capacity, or for the construction of a
 5-61 navigable canal or waterway, or any contract authorized by Section
 5-62 1, Chapter 84, page 140, Acts of the 52nd Legislature, 1951, as
 5-63 subsequently amended (codified under Article 7048b, Vernon's Civil
 5-64 Statutes of Texas), the Manager shall cause a notice describing the
 5-65 general nature of such contract to be published once each week for
 5-66 two (2) [~~three (3)~~] consecutive weeks in a newspaper of general
 5-67 circulation in each county in the District within which such
 5-68 contract is to have effect. Such contract may be considered and
 5-69 acted upon at the regular meeting of the Board next following the

6-1 last date of publication or, without further notice, at any meeting
 6-2 thereafter. The affirmative vote of a majority of the membership
 6-3 ~~[at least seven (7) members]~~ of the Board shall be required for the
 6-4 approval of confirmation or ratification of any such contract. ~~[Of~~
 6-5 ~~those seven (7) affirmative votes, at least three (3) affirmative~~
 6-6 ~~votes shall be cast by Board members from Bexar County, at least one~~
 6-7 ~~(1) affirmative vote shall be cast by a Board member from Wilson~~
 6-8 ~~County, at least one (1) affirmative vote shall be cast by a Board~~
 6-9 ~~member from Karnes County, and at least one (1) affirmative vote~~
 6-10 ~~shall be cast by a Board member from Coliad County.]~~ The District
 6-11 may use any such contract as the sole basis, or as a supplement to
 6-12 the basis, for securing its bonds;

6-13 (2) Concerning any construction, maintenance, operation or
 6-14 repair contract, contract for the purchase of material, equipment
 6-15 or supplies or any contract for services, not including any
 6-16 purchase, procurement, or contract described by Section 49.278,
 6-17 Water Code ~~[other than professional services]~~, if the contract will
 6-18 require an estimated expenditure of more than the maximum amount
 6-19 for which competitive bidding is required by Chapter 49, Water Code
 6-20 ~~[statute for any political subdivision of the state or if the~~
 6-21 ~~contract is for a term of two (2) years or more]~~, the Board~~[, upon~~
 6-22 ~~the affirmative vote of a majority of a quorum present at any~~
 6-23 ~~regular or special meeting,]~~ shall award such contract to the
 6-24 lowest and best bidder after publication of a notice to bidders once
 6-25 each week for two (2) ~~[three (3)]~~ consecutive weeks. The Board by
 6-26 bylaw shall promulgate the procedures for the publication of notice
 6-27 to bidders and related procedures and may, within the limitations
 6-28 set forth in this section, from time to time prescribe the amount of
 6-29 estimated expenditures to be subjected to competitive bidding. In
 6-30 the event of an emergency, the authority may let such contracts as
 6-31 are necessary to protect and preserve the public health and welfare
 6-32 or the properties of the authority, without such bidding
 6-33 procedures. Members of the Board of Directors shall be ineligible
 6-34 to submit such bids. Any provision of this Subsection to the
 6-35 contrary notwithstanding, the District may purchase surplus
 6-36 property from the United States by negotiated contract and without
 6-37 the necessity of advertising for bids. Notwithstanding any other
 6-38 provision of this Act, the District may use any procurement method
 6-39 under Chapter 49, Water Code, or other applicable general law.

6-40 (k) General:

6-41 (1) This District hereby is vested with such title and right
 6-42 of control as the State has, or may have, in, to and concerning the
 6-43 natural bed and banks of the San Antonio River in its entire length,
 6-44 and all of its tributaries as are within the District, as said
 6-45 District is defined in Section 2-a of this Act, and the District
 6-46 hereby is further vested with such title and right of control as the
 6-47 State has, or may have, in, to and concerning the natural bed and
 6-48 banks of any other navigable stream or tributary thereof as may be
 6-49 situated within the District, as said District is defined in
 6-50 Section 2-a of this Act; which investment, however, shall be in
 6-51 trust, and to authorize said District to make such uses, and/or
 6-52 disposition of such lands and rights (and the proceeds, income,
 6-53 revenues, or trading values thereof) as in actual experience may
 6-54 prove to be reasonably required for, or in aid of, the
 6-55 accomplishment of the purposes of this Act;

6-56 (2) To make preliminary investigations and surveys in the
 6-57 manner and for the purposes specified in Chapters 49 and 51, Water
 6-58 Code, and any other applicable general law ~~[said Chapter 25]~~
 6-59 (either independently at its own cost, or jointly with others, or to
 6-60 contribute to the cost thereof when done by another), whereby to
 6-61 procure cooperation by the Government of the United States of
 6-62 America, to the end that any project lawfully within the purposes of
 6-63 this Act may be approved for construction as a Federal project under
 6-64 such contractual terms and conditions as may be demanded by the
 6-65 Federal Congress;

6-66 (3) To expend all sums reasonably deemed to be necessary or
 6-67 expedient for seeking cooperation in accomplishing the objects of
 6-68 this Act from the Federal Government, and/or any and all other
 6-69 persons, creatures, or entities, whether natural, or creatures of

7-1 law or contract;

7-2 (4) Subject to the provisions of this Act from time to time
7-3 to sell or otherwise dispose of any property of any kind, real,
7-4 personal, or mixed, or any interest therein, which shall not be
7-5 necessary to the carrying on of the business of the District;

7-6 (5) To overflow and inundate any public lands and public
7-7 property and to require the relocation of roads and highways in
7-8 manner and to the extent permitted to districts organized under
7-9 General Laws pursuant to Section 59 of Article 16 of the
7-10 Constitution of the State of Texas. In the event that the District,
7-11 in the exercise of the power of eminent domain or power of
7-12 relocation, or any other power granted hereunder, makes necessary
7-13 the relocation, raising, rerouting or changing the grade of, or
7-14 altering the construction of any railroad, or street railway, all
7-15 such necessary relocation, raising, rerouting, changing of grade or
7-16 alteration of construction shall be accomplished at the sole
7-17 expense of the District;

7-18 (6) To construct, extend, improve, maintain and
7-19 reconstruct, to cause to be constructed, extended, improved,
7-20 maintained, and reconstructed, and to use and operate, any and all
7-21 facilities of any kind necessary or convenient to the exercise of
7-22 such powers, rights, privileges, and functions;

7-23 (7) To sue and to be sued in its corporate name;

7-24 (8) To adopt, use, and alter a corporate seal;

7-25 (9) To adopt and to amend its bylaws for the management of
7-26 its affairs;

7-27 (10) To appoint officers, agents, employees and
7-28 professional consultants, none of whom shall have any interest,
7-29 direct or indirect, in any contracts awarded by the District;

7-30 (11) To prescribe the duties and fix the compensation of all
7-31 officers, agents, employees and professional consultants;

7-32 (12) To acquire by purchase, lease, gift, or in any other
7-33 lawful manner and to maintain, use, and operate any and all property
7-34 of any kind, real, personal or mixed, or any interest therein,
7-35 within and without the boundaries of the District, necessary or
7-36 convenient to the exercise of the powers, rights, privileges and
7-37 functions conferred upon it by this Act, in the manner provided by
7-38 general law with respect to condemnation or, at the option of the
7-39 District, in the manner provided by the statutes relative to
7-40 condemnation by Districts organized under general law pursuant to
7-41 Section 59 of Article 16 of the Constitution of the State of Texas;

7-42 (13) ~~[To condemn lands used or dedicated for cemetery~~
7-43 ~~purposes in the manner provided by the General Law of Texas where~~
7-44 ~~reasonably necessary to effectuate the powers, rights, privileges~~
7-45 ~~and functions of the District, provided, however, that, when such~~
7-46 ~~power of condemnation is sought to be exercised with respect to any~~
7-47 ~~Perpetual Care cemetery, as defined in Article 912a, Vernon's Civil~~
7-48 ~~Statutes of the State of Texas, as to the condemnation of any such~~
7-49 ~~Perpetual Care cemetery or portion thereof, jurisdiction is hereby~~
7-50 ~~conferred for such purpose on the District Court or Courts of the~~
7-51 ~~county in which such cemetery land or any part thereof may be~~
7-52 ~~located, and such condemnation action shall likewise involve the~~
7-53 ~~issue of the removal of the dedication thereof as such Perpetual~~
7-54 ~~Care cemetery and the issue of the necessity for such taking;~~

7-55 ~~[(14)]~~ To borrow money for its corporate purposes and to
7-56 execute proper notes or other evidences of indebtedness, and
7-57 without limitation of the generality of the foregoing, to borrow
7-58 money and accept grants from the United States of America, and in
7-59 connection with any such loan or grant, to enter into such
7-60 agreements as the United States of America or such corporation or
7-61 agency may require; and to make and issue its negotiable bonds for
7-62 moneys borrowed in the manner and to the extent provided in Section
7-63 16. Nothing in this Act shall authorize the issuance of any bonds,
7-64 notes, or other evidences of indebtedness of the District, except
7-65 as specifically provided in this Act, and no issuance of bonds,
7-66 notes, or other evidences of indebtedness, except as specifically
7-67 provided in this Act, shall ever be authorized except by an Act of
7-68 the Legislature;

7-69 (14) ~~[(15)]~~ To obtain loans from and accept grants from the

8-1 United States and its agencies, and from the State of Texas, and its
 8-2 agencies, and it shall have the right to participate in and be the
 8-3 beneficiary of any plan which may be evolved by the State or Federal
 8-4 Government for guaranteeing or otherwise subsidizing the
 8-5 obligations of the District;

8-6 (15) [~~(16)~~] The District shall have the power to adopt and
 8-7 promulgate by ordinance all reasonable rules and regulations for
 8-8 purposes elsewhere provided in this Act and generally to secure and
 8-9 protect any and all of its property and any and all of its works of
 8-10 improvement, and to regulate residence, hunting, fishing, boating
 8-11 and camping, and all recreational and business privileges on any
 8-12 navigable river of the District, or any reservoir of the District,
 8-13 or upon any land owned by the District. The District may prescribe
 8-14 reasonable and commensurate penalties for the violation of any and
 8-15 all such rules and regulations of the District, as provided by
 8-16 Section 49.004, Water Code [~~which penalties shall be cumulative of~~
 8-17 ~~any penalties fixed by the General Law in Texas and shall not exceed~~
 8-18 ~~finer of more than Two Hundred Dollars (\$200), or imprisonment for~~
 8-19 ~~not more than one hundred eighty (180) days, or may provide for both~~
 8-20 ~~such fine and imprisonment~~]. No rule or regulation which provides a
 8-21 penalty for the violation thereof shall be in effect, as to
 8-22 enforcement of the penalty, until five (5) days next after the
 8-23 District may have caused a substantive statement of the particular
 8-24 rule or regulation and the penalty for the violation thereof to be
 8-25 published once a week for two (2) [~~three (3)~~] consecutive weeks in a
 8-26 newspaper of general circulation in each county in which it is to be
 8-27 effective. The substantive statement so to be published shall be as
 8-28 condensed as is possible to afford an intelligent direction of the
 8-29 mind to the act forbidden by the rule or regulation; one (1) notice
 8-30 may embrace any number of regulations; there must be embraced in the
 8-31 notice advice that breach of the particular regulation, or
 8-32 regulations, will subject the violator to the infliction of a
 8-33 penalty and there also shall be included in the notice advice that
 8-34 the full text of the regulations sought to be enforced is on file in
 8-35 the principal office of the District, where the same may be read by
 8-36 any interested person. Five (5) days after the second [~~third~~]
 8-37 publication of the notice hereby required, the advertised
 8-38 regulation shall be in effect, and ignorance of any such regulation
 8-39 shall not constitute a defense to a prosecution for the enforcement
 8-40 of a penalty and, the rules and regulations authorized hereby,
 8-41 after the required publication, shall judicially be known to the
 8-42 courts [~~and shall be considered of a nature like unto that of valid~~
 8-43 ~~penal ordinance of a city of the State~~]. Section 49.004, Water
 8-44 Code, governs costs incurred by the District before the court in any
 8-45 suit by the District to enforce its rules or regulations [~~The~~
 8-46 ~~District shall be primarily liable for any court costs incurred~~
 8-47 ~~hereunder, and the cost to maintain any offender committed for~~
 8-48 ~~imprisonment hereunder. Any fine imposed in any such proceeding~~
 8-49 ~~and paid in money shall be payable to this District and applied as~~
 8-50 ~~its Board may direct~~];

8-51 (16) [~~(17)~~] To designate an official newspaper of the
 8-52 District in each county in the District, each of which newspapers
 8-53 shall be a newspaper having general circulation in the county in
 8-54 which it is situated;

8-55 (17) [~~(18)~~] To acquire such rights-of-way as are necessary
 8-56 to construct, operate and maintain such roads as are necessary for
 8-57 ingress and egress to any work of improvement or to any park,
 8-58 recreational facility, or fish or wildlife preserve or reserve;

8-59 (18) [~~(19)~~] To grant concessions and franchises upon the
 8-60 premises of any works of improvement or any park, recreational
 8-61 facility or fish or wildlife preserve or reserve to any person or
 8-62 corporation;

8-63 (19) [~~(20)~~] When germane to the accomplishment and the
 8-64 purposes of this Act, and not otherwise adequately provided by
 8-65 Chapter 49 or 51, Water Code [~~Chapter 25~~], or provided elsewhere in
 8-66 this Act, the Directors of the District shall have the power to
 8-67 adopt and promulgate ordinances, which may be done by a majority of
 8-68 the membership of the Board [~~except as specifically provided~~
 8-69 ~~elsewhere in this Act) of those Directors present at any meeting~~

9-1 ~~held in compliance with the provisions of the bylaws at which there~~
 9-2 ~~must be present a majority of the Board, constituting a quorum].~~ No
 9-3 notice shall be required before the passage of such ordinance,
 9-4 except such notices of special or regular meetings of the Board as
 9-5 may be provided elsewhere in this Act. After having adopted such
 9-6 ordinances, the Directors shall cause the same to be filed and
 9-7 recorded in the official records of the Authority. The Directors
 9-8 may, if they deem necessary and proper, in addition to filing and
 9-9 recording same in the official records of the Authority, either
 9-10 caused certified copies of same to be forthwith filed of record in
 9-11 the office of the County Clerk of each county situated in whole or
 9-12 in part within the District within which such ordinance is intended
 9-13 to have application and/or to be published once or more each week
 9-14 for two (2) [~~three (3)~~] or more consecutive weeks in a newspaper or
 9-15 newspapers of general circulation in each county within the
 9-16 District within which ordinance is intended to have application,
 9-17 following either or all of which methods of recording and/or
 9-18 publication the ordinance shall be in full force and effect; and
 9-19 thereafter all courts and persons shall be held to have knowledge
 9-20 thereof, just as though the same had been embraced in the body of
 9-21 this Act and the County Clerk in any county is authorized and
 9-22 directed to file and record all certified copies of such county and
 9-23 to charge therefor the same fees as is provided for recording deeds
 9-24 of conveyance. And the powers of said District to adopt ordinances
 9-25 shall include, among other things as follows: in any case in which
 9-26 Chapters 49 and 51, Water Code, do [~~said Chapter 25 does~~] not
 9-27 provide a specific power or right germane to, or appropriate, or
 9-28 adequate to accomplish an object of this Act, and such specific
 9-29 power has been, or hereafter may, conferred by law on Counties,
 9-30 Cities, Water Improvement Districts, Water Control and Improvement
 9-31 Districts, Drainage Districts, Navigation Districts, Canal
 9-32 Corporations, Channel and Dock Corporations, Deep Water
 9-33 Corporations, Railway Corporations, Terminal Railway Corporations,
 9-34 Telegraph and Telephone Corporations, or other like creatures of
 9-35 the law, then to the extent [~~intent~~] required to make adequate
 9-36 hereto the powers and rights of this District, it may by ordinance
 9-37 adopt and have as part of the law of its being so much of the power
 9-38 and right of any of the herein designated creatures of the law as
 9-39 will enable it effectively to accomplish that purpose of this Act.
 9-40 The adoption of a power or mode of procedure hereunder shall not be
 9-41 held to include any incidental limitation which would impede the
 9-42 lawful accomplishment of the purposes of this Act. As to this,
 9-43 there shall be no limit hereof save such as would violate the
 9-44 provisions of the Constitution of the United States and the State of
 9-45 Texas concerning the rights of others;

9-46 (20) [~~(21)~~] This District shall have all such powers and
 9-47 rights, and regulations for government and procedure, as are
 9-48 contained in Chapters 49 and 51, Water Code, and any other
 9-49 applicable general law [~~said Chapter 25~~], which shall be cumulative
 9-50 of those provided by this Act, and those rules for procedure which
 9-51 may be provided by ordinances adopted by the District under other
 9-52 provisions of this Act.

9-53 SECTION 3. Chapter 276, Acts of the 45th Legislature,
 9-54 Regular Session, 1937, is amended by adding Section 5 to read as
 9-55 follows:

9-56 Sec. 5. PARTNERSHIP WITH NONPROFIT ORGANIZATION. (a) In
 9-57 this section, "affiliated nonprofit organization" means a
 9-58 nonprofit organization:

9-59 (1) created by the District; or

9-60 (2) for which the District, the Board, or the
 9-61 District's employees have a right to appoint one or more of the
 9-62 members of the governing body of the nonprofit organization.

9-63 (b) The District may contract or otherwise coordinate with a
 9-64 nonprofit organization, including an affiliated nonprofit
 9-65 organization, to accomplish the purposes of the District.

9-66 (c) Members of the Board may not constitute a majority of
 9-67 the board of directors or other governing body of an affiliated
 9-68 nonprofit organization. Employees of the District may not serve on
 9-69 the board of directors or other governing body of an affiliated

10-1 nonprofit organization.

10-2 (d) The Board shall develop a policy regarding fund-raising
 10-3 activities of any nonprofit organizations that enter into a
 10-4 partnership with the District. The policy must:

10-5 (1) include acceptable and prohibited fund-raising
 10-6 activities;

10-7 (2) specify how fund-raising is conducted and
 10-8 supervised; and

10-9 (3) include criteria for seeking and selecting
 10-10 corporate sponsors to ensure that sponsorships serve the public
 10-11 interest and are consistent with the purposes of the District.

10-12 (e) A memorandum of understanding between the District and
 10-13 an affiliated nonprofit organization entered into under this
 10-14 section must include the policy developed by the Board under
 10-15 Subsection (d) of this section.

10-16 SECTION 4. Section 9, Chapter 276, Acts of the 45th
 10-17 Legislature, Regular Session, 1937, is amended to read as follows:

10-18 Sec. 9. GOVERNING BODY OF THE DISTRICT; QUALIFICATIONS OF
 10-19 MEMBERS OF THE BOARD; VACANCIES; TERM OF OFFICE. The government and
 10-20 control of the District shall be vested in a Board of Directors
 10-21 consisting of 12 [~~twelve (12)~~] members, 6 [~~six (6)~~] of whom shall be
 10-22 elected from Bexar County, 2 [~~two (2)~~] of whom shall be elected from
 10-23 Wilson County, 2 [~~two (2)~~] of whom shall be elected from Karnes
 10-24 County, and 2 [~~two (2)~~] of whom shall be elected from Goliad County.
 10-25 Each director shall serve for a term of four [~~six (6)~~] years, and
 10-26 shall hold office until the director's [~~his~~] successor has been
 10-27 elected and has qualified by taking the oath of office. Before
 10-28 entering upon the duties of the member's [~~his~~] office, each member
 10-29 of the Board shall take the Constitutional Oath of Office and the
 10-30 same shall be filed in written form with the Secretary of the Board.
 10-31 Vacancies occurring on the Board from any county shall be filled by
 10-32 appointment by the Governor of the State, with the advice and
 10-33 consent of the Senate, for such unexpired term. Any person over the
 10-34 age of 21 [~~twenty-one (21)~~] years, residing within the District and
 10-35 within the county from which the person [~~he~~] is elected or
 10-36 appointed, and possessing the qualifications of a juror shall be
 10-37 eligible to be elected or appointed and to serve as a director.

10-38 SECTION 5. Section 10, Chapter 276, Acts of the 45th
 10-39 Legislature, Regular Session, 1937, is amended to read as follows:

10-40 Sec. 10. ELECTION OF DIRECTORS. All elections within the
 10-41 District shall be carried out in accordance with rules set forth in
 10-42 the bylaws and the Election Code, and the results of all elections
 10-43 shall be canvassed by the Board of Directors of the District at the
 10-44 regular meeting next following each biennial election. All
 10-45 elections shall be held on the uniform election date in November
 10-46 [~~third Saturday in January~~] of each odd-numbered year and at the
 10-47 polling places designated by the Board of Directors of the
 10-48 District. The terms of office of Directors elected at each election
 10-49 after the said first election shall commence on the first day of
 10-50 January [~~February~~] following their election. In all elections the
 10-51 following rules shall apply:

10-52 (a) Those persons seeking to have their names placed on the
 10-53 official ballot shall make application to the Secretary of the
 10-54 Board in accordance with rules prescribed by the Board either in the
 10-55 ordinance calling the election or in the bylaws.

10-56 (b) The Secretary of the Board shall make up the official
 10-57 ballot for each county from the names of candidates who have filed
 10-58 applications, and the placing of the names of the candidates on the
 10-59 ballots shall be determined by lot. The drawing of lots for the
 10-60 placing of the names of the candidates on the ballots shall be by
 10-61 the Secretary of the Board, and all candidates, or their designated
 10-62 representatives, may be present at such drawing.

10-63 (c) The Directors from Wilson, Karnes, and Goliad Counties
 10-64 shall be elected at large from each county. Four (4) Directors from
 10-65 Bexar County shall be elected from single-member districts and two
 10-66 (2) Directors shall be elected at large. The four (4) single-member
 10-67 districts shall be coterminous with and bear the same number as the
 10-68 Bexar County Commissioners Precincts. A candidate for a
 10-69 single-member district position must live in the district the

11-1 candidate seeks to represent.

11-2 (d) The candidates receiving the greatest number of votes,
11-3 that is a plurality, shall be declared elected. Should there be a
11-4 tie in the votes received, the winner of the election shall be
11-5 determined by the majority of the Board. The two (2) at-large
11-6 Directors of Bexar County shall be elected simultaneously by
11-7 plurality, and the two (2) candidates receiving the greatest number
11-8 of votes shall be declared elected.

11-9 (e) Directors of the District serving from single-member
11-10 districts at the time new single-member districts are adopted shall
11-11 serve for the remainder of the terms to which they were elected
11-12 regardless of the redistricting.

11-13 SECTION 6. Section 13, Chapter 276, Acts of the 45th
11-14 Legislature, Regular Session, 1937, is amended to read as follows:

11-15 Sec. 13. ORGANIZATION AND MEETINGS OF THE BOARD; OFFICERS;
11-16 QUORUM. ~~There [At the first regular meeting of the Board held in~~
11-17 ~~the month of February of each odd-numbered year, there]~~ shall be
11-18 appointed by a majority vote of the Board of Directors from its
11-19 membership a Chairman, a Vice-Chairman, a Secretary and a
11-20 Treasurer, and any other officers or assistant officers the Board
11-21 considers necessary. ~~Assistant officers[, if deemed proper, an~~
11-22 ~~Assistant Secretary and an Assistant Treasurer, who]~~ need not be
11-23 members of the Board of Directors and ~~[who]~~ may be granted limited
11-24 powers in the bylaws. The officers so appointed shall serve for a
11-25 term of two (2) years and until their successors have been
11-26 appointed, except that assistant officers ~~[the Assistant Secretary~~
11-27 ~~and the Assistant Treasurer]~~, if such officers are appointed, shall
11-28 hold office at the pleasure of the Board. A quorum at all meetings
11-29 of the Board of Directors shall consist of not less than seven (7)
11-30 members. ~~[A quorum at all meetings of the Executive Committee shall~~
11-31 ~~consist of not less than three (3) members.]~~ Regular and special
11-32 meetings of the Board of Directors shall be held as provided by
11-33 general law and the bylaws, and notice of such meetings shall be
11-34 given as required by general law and the bylaws. ~~[The Board shall~~
11-35 ~~meet periodically with the Texas Water Commission.]~~ All meetings
11-36 of the Board shall be open to the public.

11-37 SECTION 7. Chapter 276, Acts of the 45th Legislature,
11-38 Regular Session, 1937, is amended by adding Sections 13-a, 13-b,
11-39 13-c, and 13-d to read as follows:

11-40 Sec. 13-a. TRAINING FOR BOARD MEMBERS. (a) A person who is
11-41 elected or appointed to and qualifies for office as a member of the
11-42 Board may not vote, deliberate, or be counted as a member in
11-43 attendance at a meeting of the Board until the person completes a
11-44 training program that complies with this section.

11-45 (b) The training program must provide the person with
11-46 information regarding:

11-47 (1) the law governing the District's operations;

11-48 (2) the programs, functions, rules, and budget of the
11-49 District;

11-50 (3) the scope of and limitations on the rulemaking
11-51 authority of the Board;

11-52 (4) the results of the most recent formal audit of the
11-53 District;

11-54 (5) the requirements of:

11-55 (A) laws relating to open meetings, public
11-56 information, administrative procedure, and disclosing conflicts of
11-57 interest; and

11-58 (B) other laws applicable to members of the
11-59 governing body of a river authority in performing their duties; and

11-60 (6) any applicable ethics policies adopted by the
11-61 District or the Texas Ethics Commission.

11-62 (c) A person elected or appointed to the Board is entitled
11-63 to reimbursement for the travel expenses incurred in attending the
11-64 training program regardless of whether the attendance at the
11-65 program occurs before or after the person qualifies for office.

11-66 (d) The Manager of the District shall create a training
11-67 manual that includes the information required by Subsection (b) of
11-68 this section. The Manager of the District shall distribute a copy
11-69 of the training manual annually to each member of the Board. Each

12-1 member of the Board shall sign and submit to the Manager of the
 12-2 District a statement acknowledging that the member received and
 12-3 reviewed the training manual.

12-4 Sec. 13-b. POLICIES TO SEPARATE POLICY-MAKING AND STAFF
 12-5 FUNCTIONS. The Board shall develop and implement policies that
 12-6 clearly separate the policy-making responsibilities of the Board
 12-7 and the management responsibilities of the Manager and the staff of
 12-8 the District.

12-9 Sec. 13-c. PUBLIC TESTIMONY AT BOARD MEETINGS. The Board
 12-10 shall develop and implement policies that provide the public with a
 12-11 reasonable opportunity to appear before the Board and to speak on
 12-12 any issue under the jurisdiction of the District.

12-13 Sec. 13-d. COMPLAINT INFORMATION REQUIREMENTS. (a) The
 12-14 District shall maintain a system to promptly and efficiently act on
 12-15 complaints filed with the District. The District shall maintain
 12-16 information about parties to the complaint, the subject matter of
 12-17 the complaint, a summary of the results of the review or
 12-18 investigation of the complaint, and its disposition.

12-19 (b) The District shall make information available
 12-20 describing its procedures for complaint investigation and
 12-21 resolution.

12-22 (c) The District shall periodically notify the complaint
 12-23 parties of the status of the complaint until final disposition
 12-24 unless the notice would jeopardize an investigation.

12-25 SECTION 8. Section 14, Chapter 276, Acts of the 45th
 12-26 Legislature, Regular Session, 1937, is amended to read as follows:

12-27 Sec. 14. POWERS OF THE BOARD AND EXECUTIVE COMMITTEE; BONDS
 12-28 REQUIRED. The Board of Directors shall be responsible for the
 12-29 management and control of all affairs of the District. In
 12-30 connection therewith, the Board of Directors shall have the power:

12-31 (a) To exercise all the powers, rights, privileges and
 12-32 functions conferred by law upon the District;

12-33 (b) To adopt all such bylaws as are not inconsistent with
 12-34 the law[. ~~The bylaws may provide for the designation by the Board
 12-35 of an Executive Committee of five (5) members upon whom the
 12-36 District's Manager may call for policy decisions and advice
 12-37 concerning matters which arise between meetings of the Board and
 12-38 which may authorize, on behalf of the District, the execution of any
 12-39 contract involving the expenditure of an amount no greater than
 12-40 Twenty Thousand Dollars (\$20,000)];~~

12-41 (c) To appoint and fix the salary of a Manager, who shall be
 12-42 the chief executive officer of the District. The Manager shall
 12-43 employ and supervise, subject to policies promulgated by the Board,
 12-44 all employees, agents, accountants, attorneys, engineers and
 12-45 others rendering professional services necessary and required to
 12-46 accomplish the purposes of this Act. The Manager may execute, on
 12-47 behalf of the District, without specific authorization of the
 12-48 Board, any contract not subject to competitive bidding. The
 12-49 Manager may execute on behalf of the District and with specific
 12-50 authorization of the Board, any other contract.

12-51 Except as specifically provided elsewhere in this Act, all
 12-52 the powers, rights, privileges and functions of the District may be
 12-53 exercised by a majority of the membership of the Board [~~those
 12-54 Directors present at any meeting of the Board (or of the Executive
 12-55 Committee if the sum involved is no greater than Twenty Thousand
 12-56 Dollars (\$20,000) held in compliance with the provisions of the
 12-57 bylaws at which meeting there must be present a majority of the
 12-58 Board (or of the Executive Committee), constituting a quorum~~].

12-59 Said Board of Directors shall have all such additional powers
 12-60 as may be conferred on this District by the other provisions of this
 12-61 Act, Chapters 49 and 51, Water Code, and any other general law
 12-62 applicable to river authorities or water control and improvement
 12-63 districts [~~and said Chapter 25~~], and of said Article 16, Section 59,
 12-64 of the Constitution of the State of Texas; provided, however, that
 12-65 members of the Board shall be ineligible to engage in any
 12-66 transaction for gain or profit with the District.

12-67 The Directors and all officers of the District who are not
 12-68 Directors shall, within fifteen (15) days after their election or
 12-69 appointment, file a good and sufficient bond with the Secretary of

13-1 the Board; the official bond of each Director and Officer shall be
 13-2 in the sum of Five Thousand Dollars (\$5,000), shall be payable to
 13-3 the District, shall be conditioned upon the faithful performance of
 13-4 their duties as such Directors or Officers, and shall be subject to
 13-5 approval by the Secretary of the Board.

13-6 SECTION 9. Chapter 276, Acts of the 45th Legislature,
 13-7 Regular Session, 1937, is amended by adding Section 14-b to read as
 13-8 follows:

13-9 Sec. 14-b. FISCAL YEAR. The District's fiscal year ends on
 13-10 September 30 of each year.

13-11 SECTION 10. Section 15-a, Chapter 276, Acts of the 45th
 13-12 Legislature, Regular Session, 1937, is amended to read as follows:

13-13 Sec. 15-a. TAXATION. Subject to the limitation as to the
 13-14 maximum rate of tax as prescribed in this Section, the District may
 13-15 levy and collect throughout the territory of the District such ad
 13-16 valorem taxes as are voted at an election or elections called by the
 13-17 Board for that purpose and conducted throughout the territory of
 13-18 the District. The maximum rate of tax which can be levied and
 13-19 collected for any year shall be two cents (2¢) on the One Hundred
 13-20 Dollars (\$100) of taxable property based on its assessed valuation,
 13-21 in accordance with the following conditions and procedures:

13-22 (a) The Board of Directors of the District may, by
 13-23 ordinance, call an election to submit to the voters for approval
 13-24 such taxation; provided that a public hearing to discuss the
 13-25 proposed tax issue shall be held in each county in the District,
 13-26 said public hearing to be held not less than ten (10) days nor more
 13-27 than twenty-five (25) days prior to the scheduled date of any such
 13-28 election, and said hearings shall be called by the Board of
 13-29 Directors of the District and notice of the time, day, date, place
 13-30 and purpose of said meeting shall be given by publishing said notice
 13-31 in at least one (1) newspaper of general circulation in each county
 13-32 where the meeting is to be held at least ten (10) days prior to such
 13-33 hearing;

13-34 (b) ~~[Only qualified electors, owning taxable property~~
 13-35 ~~within the boundaries of the District and who have duly rendered~~
 13-36 ~~their property for taxation shall be entitled to vote in any such~~
 13-37 ~~election. An elector otherwise qualified must vote in the county of~~
 13-38 ~~his residence and at the polling place designated for the precinct~~
 13-39 ~~of his residence.]~~ The order [ordinance] calling the election
 13-40 shall specify the polling place or places in each of the several
 13-41 counties. The notice of election will be sufficient as to any
 13-42 county within the District if it states that the election is to be
 13-43 held throughout the territory comprising the District and if it
 13-44 specifies the polling place or places in such county. But it shall
 13-45 not be necessary to publish such details except in the county in
 13-46 which they are applicable;

13-47 (c) Returns of the election shall be made to the Board, and
 13-48 the Board shall canvass the returns of the election and adopt an
 13-49 ordinance declaring the results thereof. The Board may levy taxes
 13-50 within the maximum rate thus voted if a majority of the votes cast
 13-51 throughout the District are in favor of the levy of the tax and if a
 13-52 majority of the votes cast in any three (3) counties in the District
 13-53 are in favor of the levy of the tax;

13-54 (d) The rate of tax shall be uniform throughout the
 13-55 territory comprising the District, and shall be certified by the
 13-56 Chairman and the Secretary of the Board of Directors of the District
 13-57 to the Tax Assessor and the Tax Collector of each included county;

13-58 (e) After an election has resulted favorably to the levy of
 13-59 a tax, the Board of Directors may borrow money payable therefrom and
 13-60 may evidence such loan by a negotiable note given in the name of the
 13-61 District;

13-62 (f) Any taxes thus collected shall be used for the purpose
 13-63 of general administration~~[, preparation of the Master Plan provided~~
 13-64 ~~for in Section 4-a,]~~ and for ~~[other]~~ planning and other services
 13-65 with respect to any of the purposes, rights, privileges and
 13-66 functions of the District; provided, however, that none of the
 13-67 taxes thus collected shall be used to pay for or finance the
 13-68 construction of any dams, reservoirs, levees, channels, pipelines
 13-69 or other major physical works of the District, or pay for the cost

14-1 of any right-of-way acquisitions, or the expenses of right-of-way
 14-2 acquisition, or damages awarded by any Court under Article 1,
 14-3 Section 17, of the Constitution of the State of Texas. It is the
 14-4 intent of this Act that any taxes thus collected will enable the
 14-5 District to accomplish its purposes, including [~~develop a Master~~
 14-6 ~~Plan for~~] the maximum development of the soil and water resources of
 14-7 the District, it [~~is~~] being hereby found and determined that the
 14-8 benefits to be realized from such maximum development can be
 14-9 obtained only through area-wide participation and planning. It is
 14-10 the intent of this Act that the construction of any dams,
 14-11 reservoirs, levees, channels, pipelines or other major physical
 14-12 works of the District shall be paid for or financed by revenue bonds
 14-13 of the District to be redeemed either by the sale of services or by
 14-14 taxes to be levied by a county or municipality and paid over to the
 14-15 District as an independent contractor of said county or
 14-16 municipality. It is likewise the intent of this Act that any taxes
 14-17 thus collected may be used to pay for the operation, repair and/or
 14-18 maintenance of any flood control, soil conservation, watershed
 14-19 protection and/or erosion structures or works of improvement
 14-20 constructed in cooperation with the Federal Government; provided,
 14-21 however, that any such operation, repair and/or maintenance costs
 14-22 shall be paid for out of taxes thus collected in the county in which
 14-23 the particular structure or work of improvement is situated. It is
 14-24 further the intent of this Act that the taxes authorized by this
 14-25 Section 15-a thus collected shall not be pledged to the redemption
 14-26 of any bonds of the District.

14-27 SECTION 11. Section 18(b), Chapter 276, Acts of the 45th
 14-28 Legislature, Regular Session, 1937, is amended to read as follows:

14-29 (b) Disposition of Property. Nothing in this Act shall be
 14-30 construed as authorizing the District, or any receiver of its
 14-31 properties, or any court, to sell, lease or otherwise dispose of any
 14-32 of its property of any kind, real, personal or mixed, or any
 14-33 interest therein, unless such sale, lease or other disposition has
 14-34 been generally authorized by this Act or a general law applicable to
 14-35 the District; provided, however, that the District may sell or
 14-36 otherwise dispose of any property of any kind or any interest in
 14-37 property that is not necessary to carry on the business of the
 14-38 Authority provided that the Board, by a majority vote of a quorum
 14-39 present at any regular or special meeting, determines that the
 14-40 property is not convenient to the business of the Authority and is
 14-41 surplus. The Board shall cause a notice of such proposed sale to be
 14-42 published once each week for two (2) [~~three (3)~~] consecutive weeks
 14-43 in a newspaper of general circulation in the county or counties in
 14-44 which said property or interest therein is situated if the
 14-45 appraised value of said property or interest therein is in excess of
 14-46 Five Thousand Dollars (\$5,000) and if the said property or interest
 14-47 therein is not partial or total consideration in a transaction for
 14-48 the exchange of properties.

14-49 SECTION 12. Sections 1(c), 4-a, and 14-a, Chapter 276, Acts
 14-50 of the 45th Legislature, Regular Session, 1937, are repealed.

14-51 SECTION 13. (a) The change in law made by this Act to the
 14-52 terms of the directors of the San Antonio River Authority applies
 14-53 only to the term of a director who is appointed or elected on or
 14-54 after the effective date of this Act.

14-55 (b) The two at-large director positions for Bexar County
 14-56 shall be scheduled for election on the November uniform election
 14-57 date in 2023. The person who receives the highest number of votes
 14-58 shall be elected to the first at-large Bexar County director
 14-59 position and shall serve a four-year term beginning January 1,
 14-60 2024, and ending December 31, 2027. An election shall be scheduled
 14-61 for that position on the November uniform election date in 2027 and
 14-62 every four years thereafter. The person who receives the second
 14-63 highest number of votes shall be elected to the second at-large
 14-64 Bexar County director position and shall serve a two-year term
 14-65 beginning January 1, 2024, and ending December 31, 2025. An
 14-66 election shall be scheduled for that position on the November
 14-67 uniform election date in 2025 and every four years thereafter for a
 14-68 four-year term beginning on January 1 of the year following each
 14-69 election.

15-1 (c) The following director positions shall be scheduled for
 15-2 election on the November uniform election date in 2025 and every
 15-3 four years thereafter, and the directors elected to each position
 15-4 shall serve four-year terms beginning January 1 of the year
 15-5 following each election:

15-6 (1) the single-member district director elected from
 15-7 Bexar County commissioners court precinct 1;

15-8 (2) the single-member district director elected from
 15-9 Bexar County commissioners court precinct 2;

15-10 (3) the at-large director position for Karnes County
 15-11 for which an election was held, or scheduled to be held but canceled
 15-12 because of an unopposed candidate, in November 2019;

15-13 (4) the at-large director position for Goliad County
 15-14 for which an election was held, or scheduled to be held but canceled
 15-15 because of an unopposed candidate, in November 2019; and

15-16 (5) the at-large director position for Wilson County
 15-17 for which an election was held, or scheduled to be held but canceled
 15-18 because of an unopposed candidate, in November 2019.

15-19 (d) The following director positions shall be scheduled for
 15-20 election on the November uniform election date in 2027 and every
 15-21 four years thereafter, and the directors elected to those director
 15-22 positions shall serve four-year terms beginning January 1 of the
 15-23 year following each election:

15-24 (1) the single-member district director elected from
 15-25 Bexar County commissioners court precinct 3;

15-26 (2) the single-member district director elected from
 15-27 Bexar County commissioners court precinct 4;

15-28 (3) the at-large director position for Karnes County
 15-29 for which an election was held, or scheduled to be held but canceled
 15-30 because of an unopposed candidate, in November 2021;

15-31 (4) the at-large director position for Goliad County
 15-32 for which an election was held, or scheduled to be held but canceled
 15-33 because of an unopposed candidate, in November 2021; and

15-34 (5) the at-large director position for Wilson County
 15-35 for which an election was held, or scheduled to be held but canceled
 15-36 because of an unopposed candidate, in November 2021.

15-37 (e) The members of the board of directors serving in the
 15-38 director positions described by Subsections (b), (c), and (d) of
 15-39 this section on the effective date of this Act shall continue to
 15-40 serve until their successors have been elected and qualified.

15-41 (f) Notwithstanding Section 13-a, Chapter 276, Acts of the
 15-42 45th Legislature, Regular Session, 1937, as added by this Act, a
 15-43 person serving on the board of directors of the district may vote,
 15-44 deliberate, and be counted as a director in attendance at a meeting
 15-45 of the board until December 1, 2023.

15-46 SECTION 14. (a) The legal notice of the intention to
 15-47 introduce this Act, setting forth the general substance of this
 15-48 Act, has been published as provided by law, and the notice and a
 15-49 copy of this Act have been furnished to all persons, agencies,
 15-50 officials, or entities to which they are required to be furnished
 15-51 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 15-52 Government Code.

15-53 (b) The governor, one of the required recipients, has
 15-54 submitted the notice and Act to the Texas Commission on
 15-55 Environmental Quality.

15-56 (c) The Texas Commission on Environmental Quality has filed
 15-57 its recommendations relating to this Act with the governor, the
 15-58 lieutenant governor, and the speaker of the house of
 15-59 representatives within the required time.

15-60 (d) All requirements of the constitution and laws of this
 15-61 state and the rules and procedures of the legislature with respect
 15-62 to the notice, introduction, and passage of this Act are fulfilled
 15-63 and accomplished.

15-64 SECTION 15. (a) Except as provided by Subsection (b) of
 15-65 this section, this Act takes effect immediately if it receives a
 15-66 vote of two-thirds of all the members elected to each house, as
 15-67 provided by Section 39, Article III, Texas Constitution. If this
 15-68 Act does not receive the vote necessary for immediate effect, this
 15-69 Act takes effect September 1, 2023.

16-1 (b) Section 14-b, Chapter 276, Acts of the 45th Legislature,
16-2 Regular Session, 1937, as added by this Act, takes effect January 1,
16-3 2025.

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