

1-1 By: Perry, et al. S.B. No. 1424
 1-2 (In the Senate - Filed March 2, 2023; March 16, 2023, read
 1-3 first time and referred to Committee on Water, Agriculture & Rural
 1-4 Affairs; April 4, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 April 4, 2023, 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	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1424 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the continuation and functions of the State Soil and
 1-22 Water Conservation Board and the Texas Invasive Species
 1-23 Coordinating Committee.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 201.0142, Agriculture Code, is amended
 1-26 by amending Subsection (b) and adding Subsection (d) to read as
 1-27 follows:

1-28 (b) The training program must provide the person with
 1-29 information regarding:

1-30 (1) the law governing [legislation that created the]
 1-31 state board operations;

1-32 (2) the programs, functions, rules, and budget of
 1-33 [operated by] the state board;

1-34 (3) the scope of and limitations on the rulemaking
 1-35 authority [role and functions] of the state board;

1-36 (4) [the rules of the state board, with an emphasis on]
 1-37 the rules that relate to disciplinary and investigatory authority;

1-38 [(5) the current budget for the state board;
 1-39 [(6)] the results of the most recent formal audit of
 1-40 the state board;

1-41 (5) [(7)] the requirements of:

1-42 (A) laws relating to [the] open meetings, [law,
 1-43 Chapter 551, Government Code,

1-44 [(B) the] public information, [law, Chapter 552,
 1-45 Government Code,

1-46 [(C) the] administrative procedure, and
 1-47 disclosing conflicts of interest [law, Chapter 2001, Government
 1-48 Code]; and

1-49 (B) [(D)] other laws applicable to members of a
 1-50 state policy-making body in performing their duties [relating to]
 1-51 public officials, including conflict-of-interest laws]; and

1-52 (6) [(8)] any applicable ethics policies adopted by
 1-53 the state board or the Texas Ethics Commission.

1-54 (d) The executive director shall create a training manual
 1-55 that includes the information required by Subsection (b). The
 1-56 executive director shall distribute a copy of the training manual
 1-57 annually to each member of the state board. Each member of the
 1-58 state board shall sign and submit to the executive director a
 1-59 statement acknowledging that the member received and has reviewed
 1-60 the training manual.

2-1 SECTION 2. Section 201.019(i), Agriculture Code, is amended
2-2 to read as follows:

2-3 (i) The state board [~~agency~~] shall develop and implement
2-4 policies that [~~which~~] clearly separate the policy-making
2-5 [~~respective~~] responsibilities of the state board and the management
2-6 responsibilities of the executive director and the staff of the
2-7 state board.

2-8 SECTION 3. Sections 201.0231(a) and (c), Agriculture Code,
2-9 are amended to read as follows:

2-10 (a) The state board shall maintain a [~~central database of~~
2-11 ~~complaints filed with state board offices and a~~] system to promptly
2-12 and efficiently act on complaints [~~a complaint~~] filed with the [~~a~~]
2-13 state board [~~office~~]. The state board shall maintain information
2-14 about parties to the complaint, the subject matter of the
2-15 complaint, a summary of the results of the review or investigation
2-16 of the complaint, and its disposition.

2-17 (c) The state board shall periodically notify the complaint
2-18 parties [~~to the complaint~~] of the status of the complaint until
2-19 final disposition unless the notice would jeopardize an
2-20 investigation.

2-21 SECTION 4. Subchapter B, Chapter 201, Agriculture Code, is
2-22 amended by adding Section 201.0226 to read as follows:

2-23 Sec. 201.0226. DAM STRUCTURAL REPAIR GRANT PROGRAM. (a)
2-24 The state board shall develop and implement a program to provide
2-25 grants for the structural repair and maintenance of flood control
2-26 dams.

2-27 (b) With input from stakeholders, the state board shall:

2-28 (1) establish goals, criteria, and metrics for the
2-29 grant program; and

2-30 (2) assess the need for funding the structural repair
2-31 and maintenance of flood control dams throughout this state,
2-32 including the number of projects a grant sponsor can complete each
2-33 year.

2-34 (c) In adopting rules or policies for the grant program, the
2-35 state board shall:

2-36 (1) ensure any local matching fund requirement adopted
2-37 by the state board accounts for the financial capacity of the grant
2-38 sponsor; and

2-39 (2) consider dams that are classified as high-hazard
2-40 by the Texas Commission on Environmental Quality.

2-41 (d) The state board shall ensure guidance documents for the
2-42 grant program, including the 10-year dam repair, rehabilitation,
2-43 and maintenance plan adopted under Section 201.0227, are consistent
2-44 with the goals, criteria, and metrics established under Subsection
2-45 (b).

2-46 SECTION 5. Section 201.0227, Agriculture Code, is amended
2-47 by adding Subsection (f) to read as follows:

2-48 (f) The state board shall consider the timelines for grant
2-49 applications for the dam structural repair grant program under
2-50 Section 201.0226 when preparing and adopting a plan under this
2-51 section.

2-52 SECTION 6. Section 201.025, Agriculture Code, is amended to
2-53 read as follows:

2-54 Sec. 201.025. SUNSET PROVISION. The State Soil and Water
2-55 Conservation Board is subject to Chapter 325, Government Code
2-56 (Texas Sunset Act). Unless continued in existence as provided by
2-57 that chapter, the state board is abolished [~~and this chapter~~
2-58 ~~expires] September 1, 2035 [~~2023~~].~~

2-59 SECTION 7. Section 776.004, Government Code, is amended by
2-60 amending Subsection (a) and adding Subsection (a-1) to read as
2-61 follows:

2-62 (a) The committee shall:

2-63 (1) [~~serve as a catalyst for cooperation between state~~
2-64 ~~agencies in the area of invasive species control,~~

2-65 (2) [~~facilitate governmental efforts, including~~
2-66 ~~efforts of local governments and special districts, to prevent and~~
2-67 ~~manage invasive species,~~

2-68 (3) [~~make recommendations to state agencies regarding~~
2-69 ~~research, technology transfer, and management actions related to~~

3-1 ~~invasive species control,~~
3-2 [~~4~~] facilitate the exchange of information so that
3-3 each member agency is informed of committee plans, recommendations,
3-4 and proposals for research, education, and implementation of
3-5 activities to:

3-6 (A) prevent, detect, assess, monitor, contain,
3-7 and control or eradicate invasive species; and

3-8 (B) reduce environmental and economic threats
3-9 and threats to human health from invasive species; and

3-10 (2) [~~5~~] provide a forum for developing coordinated
3-11 interagency strategies and policies for invasive species control[~~+~~

3-12 [~~6~~] ~~provide technical information and input to~~
3-13 ~~regional and national invasive species control coordination~~
3-14 ~~efforts, including the National Invasive Species Management Plan,~~

3-15 [~~7~~] ~~facilitate the review of committee technical~~
3-16 ~~decisions and work product by specialists and interested persons,~~
3-17 ~~and~~

3-18 [~~8~~] ~~report as needed to the governor, lieutenant~~
3-19 ~~governor, and speaker of the house of representatives on committee~~
3-20 ~~plans, work product, and accomplishments].~~

3-21 (a-1) The committee may:

3-22 (1) serve as a catalyst for cooperation between state
3-23 agencies in the area of invasive species control;

3-24 (2) facilitate governmental efforts, including
3-25 efforts of local governments and special districts, to prevent and
3-26 manage invasive species;

3-27 (3) make recommendations to state agencies regarding
3-28 research, technology transfer, and management actions related to
3-29 invasive species control;

3-30 (4) provide technical information and input to
3-31 regional and national invasive species control coordination
3-32 efforts, including the National Invasive Species Management Plan;

3-33 (5) facilitate the review of committee technical
3-34 decisions and work product by specialists and interested persons;
3-35 and

3-36 (6) report as needed to the governor, lieutenant
3-37 governor, and speaker of the house of representatives on committee
3-38 plans, work product, and accomplishments.

3-39 SECTION 8. Chapter 776, Government Code, is amended by
3-40 adding Section 776.0051 to read as follows:

3-41 Sec. 776.0051. MEETINGS. (a) The committee shall meet at
3-42 least annually at the call of the committee chair or the State Soil
3-43 and Water Conservation Board's representative on the committee.

3-44 (b) The State Soil and Water Conservation Board shall ensure
3-45 the committee meets at least annually.

3-46 SECTION 9. Section 776.007, Government Code, is amended by
3-47 amending Subsection (a) and adding Subsection (c) to read as
3-48 follows:

3-49 (a) The committee is subject to Chapter 325 (Texas Sunset
3-50 Act). [~~Unless continued in existence as provided by that chapter,~~
3-51 ~~the committee is abolished and this chapter expires September 1,~~
3-52 ~~2023.]~~

3-53 (c) The committee shall be reviewed during each period in
3-54 which the State Soil and Water Conservation Board is reviewed.

3-55 SECTION 10. Section 776.006(b), Government Code, is
3-56 repealed.

3-57 SECTION 11. (a) Except as provided by Subsection (b) of
3-58 this section, Section 201.0142, Agriculture Code, as amended by
3-59 this Act, applies to a member of the State Soil and Water
3-60 Conservation Board appointed before, on, or after the effective
3-61 date of this Act.

3-62 (b) A member of the State Soil and Water Conservation Board
3-63 who, before the effective date of this Act, completed the training
3-64 program required by Section 201.0142, Agriculture Code, as that law
3-65 existed before the effective date of this Act, is only required to
3-66 complete additional training on the subjects added by this Act to
3-67 the training program required by Section 201.0142, Agriculture
3-68 Code. A member described by this subsection may not vote,
3-69 deliberate, or be counted as a member in attendance at a meeting of

4-1 the State Soil and Water Conservation Board held on or after
4-2 December 1, 2023, until the member completes the additional
4-3 training.

4-4 SECTION 12. (a) For purposes of Section 201.025,
4-5 Agriculture Code, as amended by this Act, the Sunset Advisory
4-6 Commission shall conduct a limited-scope review of the State Soil
4-7 and Water Conservation Board for the 90th Legislature.

4-8 (b) In conducting the limited-scope review under this
4-9 section, the Sunset Advisory Commission staff evaluation and report
4-10 must be limited to reviewing the State Soil and Water Conservation
4-11 Board's dam structural repair grant program.

4-12 (c) The Sunset Advisory Commission's recommendations to the
4-13 90th Legislature may include any recommendation the commission
4-14 considers appropriate based on the limited-scope review conducted
4-15 under this section.

4-16 SECTION 13. This Act takes effect September 1, 2023.

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