

BILL ANALYSIS

Senate Research Center
89R24062 ANG-F

C.S.S.B. 2080
By: Alvarado
Transportation
4/16/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 2080 is to update laws related to the regulation of navigation districts and port authorities' management of records, meetings, contracts, and taxes. Current Texas law does not establish regulations for the storage and management of electronic records. Current law also does not provide exceptions for closed meetings held to discuss sensitive security matters, such as cybersecurity or port safety. Additionally, existing statutes lack the flexibility necessary for efficiently managing contracts and routine expenditures. Furthermore, the Tax Code does not fully address or define the scope of navigation-related commercial activities.

S.B. 2080 adds Section 441.1681 to the Government Code, requiring procedures for the electronic storage and management of port records. Additionally, S.B. 2080 adds Section 60.503 to the Water Code to exempt port commissions from recording closed meetings discussing security measures. To address current financial and operational needs, S.B. 2080 amends Section 60.403 of the Water Code and Section 54.054 of the Transportation Code, increasing the spending limits for routine purchases to \$50,000 for port staff and \$500,000 with delegated authority. Further, the legislation removes navigation districts, port authorities, or certain boards described in Chapter 54 of the Transportation Code from classification as a government entity when entering into contracts, so that workers compensation is not a condition of a contract under Section 2252.909(a) of the Government Code. Finally, S.B. 2080 expands the definition of "navigation related commerce" in Section 25.07(e) of the Tax Code to include more types of port-related activities such as a lease to public docks, operating a cruise ship terminal and managing port facilities for improvement. No opposition has been identified at this time.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2080 amends current law relating to various matters pertaining to certain governmental entities that operate port facilities.

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 Subchapter J, Chapter 441, Government Code, by adding Section 441.1681, as follows:

Sec. 441.1681. ELECTRONIC STORAGE OF CERTAIN LOCAL GOVERNMENT RECORDS. (a) Authorizes the port commission of a navigation district or port authority or a board of trustees (board) established under Chapter 54 (Harbor and Port Facilities in Certain Municipalities), Transportation Code, to establish alternative storage and retention standards and procedures for records of the navigation district, port authority, or board. Requires that the rules establish certain standards and procedures.

(b) Prohibits a port commission or board of trustees, in establishing the standards and procedures under this section, from establishing a retention period that is shorter than a retention period required under a state or federal law or court order.

SECTION 2. Amends Section 2252.909(a), Government Code, as added by Chapter 1008 (H.B. 2518), Acts of the 88th Legislature, Regular Session, 2023, to redefine "governmental entity."

SECTION 3. Amends Section 25.07(e), Tax Code, to redefine "navigation-related commerce."

SECTION 4. Amends Section 54.054, Transportation Code, by amending Subsection (a) and adding Subsections (c) and (d), as follows:

(a) Authorizes the board, except for routine purchases and contracts and as otherwise provided by this chapter, to award a contract involving the expenditure of funds in excess of the amount applicable to an expenditure of funds by a municipality under Section 252.021(a) (relating to requiring a municipality to fulfill certain requirements), Local Government Code, only by competitive bidding.

(c) Authorizes certain persons to make routine purchases or contracts in an amount not to exceed \$50,000. Authorizes the board to delegate authority to certain persons to make routine purchases or contracts under Section 54.054 (Competitive Bidding) in an amount not to exceed \$500,000.

(d) Provides that Subchapter A (Professional Services), Chapter 2254 (Professional and Consulting Services), Government Code, applies to the procurement of professional services under this section.

SECTION 5. Amends Section 60.403(a), Water Code, to authorize a port commission to delegate authority to certain persons to make routine purchases or contracts in an amount not to exceed \$500,000, rather than \$100,000.

SECTION 6. Amends Subchapter Q, Chapter 60, Water Code, by adding Section 60.503, as follows:

Sec. 60.503. CLOSED MEETINGS. Provides that, notwithstanding Section 551.103 (Certified Agenda or Recording Required), Government Code, a port commission is not required to make a recording of the proceedings of a closed meeting to deliberate security measures, including cybersecurity measures, related to the navigation district or port authority.

SECTION 7. Effective date: September 1, 2025.