

1-1 By: Kitzman (Senate Sponsor - Parker) H.B. No. 1535
1-2 (In the Senate - Received from the House May 7, 2025;
1-3 May 8, 2025, read first time and referred to Committee on Local
1-4 Government; May 13, 2025, reported favorably by the following
1-5 vote: Yeas 6, Nays 0; May 13, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Bettencourt	X		
1-9	Middleton	X		
1-10	Cook	X		
1-11	Gutierrez		X	
1-12	Nichols	X		
1-13	Paxton	X		
1-14	West	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the Trinity River Authority of Texas, following
1-18 recommendations of the Sunset Advisory Commission; specifying
1-19 grounds for the removal of a member of the board of directors.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 1A(a), Chapter 518, Acts of the 54th
1-22 Legislature, Regular Session, 1955, is amended to read as follows:

1-23 (a) The Authority is subject to review under Chapter 325,
1-24 Government Code (Texas Sunset Act), but may not be abolished under
1-25 that chapter. The review shall be conducted under Section 325.025,
1-26 Government Code, as if the Authority were a state agency scheduled
1-27 to be abolished September 1, 2037 [2025], and every 12th year after
1-28 that year.

1-29 SECTION 2. Section 3(b), Chapter 518, Acts of the 54th
1-30 Legislature, Regular Session, 1955, is amended to read as follows:

1-31 (b) The Board shall consist of twenty-five (25)
1-32 [~~twenty-four (24)~~] directors to be appointed by the Governor with
1-33 the advice and consent of the Senate, and, when the Legislature is
1-34 in session, no such appointment shall become effective until it
1-35 shall have been approved by the Senate. For the purposes of the
1-36 appointment of directors the Authority is divided into eighteen
1-37 (18) areas, numbered 1 to 18, both inclusive, respectively
1-38 containing the county as follows:

- 1-39 Area 1. Tarrant
- 1-40 Area 2. Dallas
- 1-41 Area 3. Kaufman
- 1-42 Area 4. Henderson
- 1-43 Area 5. Ellis
- 1-44 Area 6. Navarro
- 1-45 Area 7. Anderson
- 1-46 Area 8. Freestone
- 1-47 Area 9. Leon
- 1-48 Area 10. Houston
- 1-49 Area 11. Trinity
- 1-50 Area 12. Madison
- 1-51 Area 13. Walker
- 1-52 Area 14. San Jacinto
- 1-53 Area 15. Polk
- 1-54 Area 16. Liberty
- 1-55 Area 17. Chambers
- 1-56 Area 18. All of the territory contained within the above

1-57 named seventeen (17) areas and seventeen (17) counties which shall
1-58 be known as "The Area-at-Large." Three (3) directors shall be
1-59 appointed from Tarrant County; four (4) directors shall be
1-60 appointed from Dallas County; and three (3) [~~two (2)~~] directors
1-61 shall be appointed from "The Area-at-Large." One (1) director

shall be appointed from each of the other named Areas. The term of each director shall be for four [~~six (6)~~] years and until the director's [~~his~~] successor has [~~shall have~~] been appointed and qualifies [~~until he shall have qualified, except that of the directors first appointed, eight (8) shall serve for two (2) years, eight (8) for four (4) years, and eight (8) for six (6) years~~]. The terms of 12 or 13 of the directors shall expire on the 15th day of March of odd-numbered years [~~the year in which their respective terms would terminate under the provisions of this Act~~]. [~~In making the original appointments the Governor will designate the initial term of each such directors.~~] The Board has power to appoint an executive committee which will perform the functions of the Board between meetings, except as its powers may be restricted in the action setting up the committee.

SECTION 3. Section 4, Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, is amended to read as follows:

Sec. 4. The Governor shall designate a member of the Board as the president of the Authority to serve in that capacity at the pleasure of the Governor. The Board shall elect from its number a [~~president and a~~] vice-president of the Authority and such other officers as in the judgment of the Board are necessary. The president shall preside at meetings of the Board and shall be the chief officer of the Authority and shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or is unable or declines to act. The Board shall appoint a secretary and a treasurer who shall not be members of the Board. Within the discretion of the Board the officers of secretary and treasurer may be held by one (1) person whose title shall be Secretary-Treasurer. The Treasurer shall give bond in such amount as shall be prescribed by the Board. The Board shall [~~may~~] appoint a general manager and may appoint [~~7~~] all necessary engineers, attorneys and other employees.

SECTION 4. Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, is amended by adding Sections 4A, 4B, 4C, 4D, and 4E to read as follows:

Sec. 4A. (a) It is a ground for removal from the Board that a director:

(1) does not have at the time of taking office the qualifications required by Section 3(c) of this Act;

(2) does not maintain during service on the Board the qualifications required by Section 3(c) of this Act;

(3) violates Chapter 171, Local Government Code;

(4) cannot, because of illness or disability, discharge the director's duties for a substantial part of the director's term; or

(5) is absent from more than half of the regularly scheduled Board meetings that the director is eligible to attend during a calendar year without an excuse approved by a majority vote of the Board.

(b) The validity of an action of the Board is not affected by the fact that it is taken when a ground for removal of a director exists.

(c) If the general manager of the Authority has knowledge that a potential ground for removal exists, the general manager shall notify the president of the Authority of the potential ground. The president shall then notify the Governor and the Attorney General that a potential ground for removal exists. If the potential ground for removal involves the president, the general manager shall notify the next highest ranking director, who shall then notify the Governor and the Attorney General that a potential ground for removal exists.

Sec. 4B. (a) A person who is appointed to and qualifies for office as a director may not vote, deliberate, or be counted as a director in attendance at a meeting of the Board until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

(1) the law governing Authority operations;

(2) the programs, functions, rules, and budget of the Authority;
 (3) the scope of and limitations on the rulemaking authority of the Board;

(4) the results of the most recent formal audit of the Authority;

(5) the requirements of:
 (A) laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest; and

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

(6) any applicable ethics policies adopted by the Authority or the Texas Ethics Commission.

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

(d) The general manager of the Authority shall create a training manual that includes the information required by Subsection (b) of this section. The general manager shall distribute a copy of the training manual annually to each director. Each director shall sign and submit to the general manager a statement acknowledging that the director received and has reviewed the training manual.

Sec. 4C. (a) The Authority shall maintain a system to promptly and efficiently act on complaints filed with the Authority. The Authority shall maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and its disposition.

(b) The Authority shall make information available describing its procedures for complaint investigation and resolution.

(c) The Authority shall periodically notify the complaint parties of the status of the complaint until final disposition, unless the notice would jeopardize an investigation.

Sec. 4D. The Board shall develop and implement policies that provide the public with a reasonable opportunity to appear before the Board and to speak on any issue under the jurisdiction of the Authority.

Sec. 4E. The Board shall develop and implement policies that clearly separate the policy-making responsibilities of the Board and the management responsibilities of the general manager and the employees of the Authority.

SECTION 5. (a) Notwithstanding the changes in law made by this Act in Section 3(b), Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, and except as provided by Subsection (b) of this section, a director of the Trinity River Authority of Texas serving on the effective date of this Act shall continue in office until the member's successor is appointed and qualifies for office.

(b) At the first meeting of the board of directors of the Trinity River Authority of Texas that follows the effective date of this Act, the nine directors of the Trinity River Authority of Texas whose terms would expire on March 15, 2031, shall draw lots to determine which five directors will serve terms that expire on March 15, 2029, and which four directors will serve terms that expire on March 15, 2027.

SECTION 6. (a) Except as provided by Subsection (b) of this section, Section 4B, Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as added by this Act, applies to a member of the board of directors of the Trinity River Authority of Texas appointed before, on, or after the effective date of this Act.

(b) Notwithstanding Section 4B, Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, as added by this Act, a member of the board of directors of the Trinity River Authority of Texas may vote, deliberate, and be counted as a director in attendance at a meeting of the board until December 1, 2025. A member of the board may not vote, deliberate, or be counted as a

member in attendance at a meeting of the board held on or after December 1, 2025, until the member completes the training required by that section.

SECTION 7. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

SECTION 8. This Act takes effect September 1, 2025.

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