

By: Hopper

H.B. No. 2326

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring the board members of the Texas Water
3 Development Board to be elected by the qualified voters at a general
4 election instead of appointed by the governor.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The heading to Section 6.052, Water Code, is
7 amended to read as follows:

8 Sec. 6.052. MEMBERS OF THE BOARD; ELECTION [~~APPOINTMENT~~].

9 SECTION 2. Section 6.052(a), Water Code, is amended to read
10 as follows:

11 [~~(a)~~] The board is composed of 16 [~~three~~] members who are
12 elected by the qualified voters of the regional water planning area
13 in which the member is running on the uniform election date in
14 November authorized by Section 41.001, Election Code [~~appointed by~~
15 ~~the governor with the advice and consent of the senate. One member~~
16 ~~must have experience in the field of engineering, one member must~~
17 ~~have experience in the field of public or private finance, and one~~
18 ~~member must have experience in the field of law or business)].~~

19 SECTION 3. Sections 6.053(a), (b), and (d), Water Code, are
20 amended to read as follows:

21 (a) Members of the board must be members of the general
22 public who have experience in the fields of engineering, public or
23 private finance, or law or business.

24 (b) A person is not eligible for election [~~appointment~~] to

1 the board if the person or the person's spouse:

2 (1) is employed by or participates in the management
3 of a business entity or other organization regulated by the board or
4 receiving funds from the board;

5 (2) owns, controls, or has, directly or indirectly,
6 more than a 10 percent interest in a business entity or other
7 organization regulated by the board or receiving funds from the
8 board; or

9 (3) uses or receives a substantial amount of tangible
10 goods, services, or funds from the board.

11 (d) A person is not eligible for election [~~appointment~~] to
12 the board if the person served on the board on or before January 1,
13 2013.

14 SECTION 4. Section 6.054(a), Water Code, is amended to read
15 as follows:

16 (a) It is a ground for removal from the board that a member:

17 (1) does not have at the time of taking office the
18 qualifications required for election [~~appointment~~] to the board;

19 (2) does not maintain during service on the board the
20 qualifications required for election [~~appointment~~] to the board;

21 (3) is ineligible for membership under Sections 6.053,
22 6.057, and 6.058;

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

26 (5) is absent from more than half of the regularly
27 scheduled board meetings that the member is eligible to attend

1 during a calendar year without an excuse approved by a majority vote
2 of the board.

3 SECTION 5. Section 6.056, Water Code, is amended to read as
4 follows:

5 Sec. 6.056. TERMS OF OFFICE. (a) The members of the board
6 hold office for staggered terms of six years [~~, with the term of one~~
7 ~~member expiring February 1 of each odd-numbered year~~]. Each member
8 holds office until a successor is elected [~~appointed~~] and has
9 qualified.

10 (b) A person elected [~~appointed~~] to the board may not serve
11 for more than two six-year terms.

12 SECTION 6. Section 6.059, Water Code, is amended to read as
13 follows:

14 Sec. 6.059. CHAIRMAN OF THE BOARD. The members of the board
15 [~~governor~~] shall elect [~~designate~~] one member as chairman of the
16 board [~~to serve at the will of the governor~~].

17 SECTION 7. Sections 6.062(a) and (c), Water Code, are
18 amended to read as follows:

19 (a) A person who is elected [~~appointed~~] to and qualifies for
20 office as a member of the board may not vote, deliberate, or be
21 counted as a member in attendance at a meeting of the board until
22 the person completes a training program that complies with this
23 section.

24 (c) A person elected [~~appointed~~] to the board is entitled to
25 reimbursement, as provided by the General Appropriations Act, for
26 the travel expenses incurred in attending the training program
27 regardless of whether the attendance at the program occurs before

1 or after the person qualifies for office.

2 SECTION 8. Sections 6.052(b) and (c), Water Code, are
3 repealed.

4 SECTION 9. (a) The Texas Water Development Board shall hold
5 an election to elect 16 directors as described by Section 6.052,
6 Water Code, as amended by this Act, on the uniform election date in
7 November 2026.

8 (b) At the first meeting of the members of the Texas Water
9 Development Board that follows the election of members under
10 Subsection (a) of this section, the members shall draw lots to
11 determine which four directors shall serve a term of two years,
12 which six directors shall serve a term of four years, and which six
13 directors shall serve a term of six years. Thereafter, all elected
14 members serve six-year terms.

15 (c) The terms of the members serving on the Texas Water
16 Development Board expire on the date the members elected under
17 Subsection (a) of this section have qualified.

18 SECTION 10. This Act takes effect September 1, 2025, but
19 only if the constitutional amendment proposed by the 89th
20 Legislature, Regular Session, 2025, requiring the board members of
21 the Texas Water Development Board to be elected by the qualified
22 voters at a general election instead of appointed by the governor is
23 approved by the voters. If that amendment is not approved by the
24 voters, this Act has no effect.