

By: Paxton, et al.

S.B. No. 2406

A BILL TO BE ENTITLED

AN ACT

relating to the Sabine River Authority of Texas, following recommendations of the Sunset Advisory Commission; specifying grounds for the removal of a member of the board of directors.

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

SECTION 1. Section 2A(a), Chapter 110, Acts of the 51st Legislature, Regular Session, 1949, is amended to read as follows:

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

SECTION 2. Section 4, Chapter 110, Acts of the 51st Legislature, Regular Session, 1949, is amended to read as follows:

Sec. 4. The Governor shall designate a Director as the President of the Board to serve in that capacity at the pleasure of the Governor. The Directors of the district shall organize by electing one of their members [~~President, one~~] Vice-President, one Secretary, and a Secretary pro tem. Five (5) Directors shall constitute a quorum at any meeting, and a concurrence of a majority of those present shall be sufficient in all matters pertaining to the business of the district, except the letting of construction contracts and the authorization of issuance of bonds, which shall

1 require the concurrence of five (5) Directors. Warrants for the
2 payment of money may be drawn and signed by two (2) officers or
3 employees designated by resolution entered on the minutes of the
4 Directors, when such accounts have been contracted and ordered paid
5 by the Board of Directors.

6 SECTION 3. Chapter 110, Acts of the 51st Legislature,
7 Regular Session, 1949, is amended by adding Sections 4A, 4B, 6A, and
8 6B to read as follows:

9 Sec. 4A. (a) It is a ground for removal from the Board of
10 Directors that a Director:

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

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

15 (3) violates Chapter 171, Local Government Code;

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

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

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

26 (c) If the manager of the district has knowledge that a
27 potential ground for removal exists, the manager shall notify the

1 President of the Board of the potential ground. The President shall
2 then notify the Governor and the Attorney General that a potential
3 ground for removal exists. If the potential ground for removal
4 involves the President, the manager shall notify the next highest
5 ranking Director, who shall then notify the Governor and the
6 Attorney General that a potential ground for removal exists.

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

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

14 (1) the law governing district operations;

15 (2) the programs, functions, rules, and budget of the
16 district;

17 (3) the scope of and limitations on the rulemaking
18 authority of the Board of Directors;

19 (4) the results of the most recent formal audit of the
20 district;

21 (5) the requirements of:

22 (A) laws relating to open meetings, public
23 information, administrative procedure, and disclosing conflicts of
24 interest; and

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

27 (6) any applicable ethics policies adopted by the

1 district or the Texas Ethics Commission.

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

6 (d) The manager of the district shall create a training
7 manual that includes the information required by Subsection (b) of
8 this section. The manager shall distribute a copy of the training
9 manual annually to each Director. Each Director shall sign and
10 submit to the manager a statement acknowledging that the Director
11 received and has reviewed the training manual.

12 Sec. 6A. (a) The district shall maintain a system to
13 promptly and efficiently act on complaints filed with the district.
14 The district shall maintain information about parties to the
15 complaint, the subject matter of the complaint, a summary of the
16 results of the review or investigation of the complaint, and its
17 disposition.

18 (b) The district shall make information available
19 describing its procedures for complaint investigation and
20 resolution.

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

24 Sec. 6B. The Board of Directors shall develop and implement
25 policies that provide the public with a reasonable opportunity to
26 appear before the Board and to speak on any issue under the
27 jurisdiction of the district.

1 SECTION 4. Section 10, Chapter 110, Acts of the 51st
2 Legislature, Regular Session, 1949, is amended to read as follows:

3 Sec. 10. The Directors shall ~~[may]~~ employ a manager for the
4 district, and may give the manager ~~[him]~~ full authority in the
5 management and operation of the district affairs (subject only to
6 the orders of the Board of Directors). Compensation to be paid such
7 manager and all employees shall be fixed by the Board of Directors
8 and all employees may be removed by the Board.

9 SECTION 5. Chapter 110, Acts of the 51st Legislature,
10 Regular Session, 1949, is amended by adding Section 10A to read as
11 follows:

12 Sec. 10A. The Board of Directors shall develop and
13 implement policies that clearly separate the policy-making
14 responsibilities of the Board and the management responsibilities
15 of the manager and the employees of the district.

16 SECTION 6. (a) Except as provided by Subsection (b) of
17 this section, Section 4B, Chapter 110, Acts of the 51st
18 Legislature, Regular Session, 1949, as added by this Act, applies
19 to a member of the board of directors of the Sabine River Authority
20 of Texas appointed before, on, or after the effective date of this
21 Act.

22 (b) Notwithstanding Section 4B, Chapter 110, Acts of the
23 51st Legislature, Regular Session, 1949, as added by this Act, a
24 person serving on the board of directors of the Sabine River
25 Authority of Texas may vote, deliberate, and be counted as a
26 director in attendance at a meeting of the board until December 1,
27 2025. A director may not vote, deliberate, or be counted as a

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

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

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

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

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

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