

AN ACT

relating to the Sabine River Authority of Texas, following recommendations of the Sunset Advisory Commission; specifying term lengths and 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 3, Chapter 110, Acts of the 51st Legislature, Regular Session, 1949, is amended to read as follows:

Sec. 3. The management and control of all of the affairs of the district shall be vested in the Board of Directors, consisting of nine (9) members, each of whom shall be a freehold property taxpayer and a legal voter of the State of Texas. Such Board of Directors shall be appointed by the Governor of Texas ~~[as soon as practicable after the passage of this Act]~~ and confirmed by the Senate~~[, one-third of the members to be appointed for a term of two (2) years, one-third of the members to be appointed for a term of~~

1 ~~four (4) years, and the remaining members to be appointed for a term~~
2 ~~of six (6) years]. [Upon the expiration of the respective terms of~~
3 ~~said] Directors [the successors of each and all of them] shall be~~
4 appointed ~~[thereafter]~~ for staggered terms ~~[a term]~~ of four ~~[six~~
5 ~~(6)]~~ years. Four members of the Board of Directors must each reside
6 within a county located in the upper basin of the Sabine River,
7 including Collin, Rockwall, Kaufman, Hunt, Rains, Van Zandt,
8 Hopkins, Franklin, Wood, Smith, Upshur, Gregg, Harrison, and Rusk
9 counties. Four members of the Board of Directors must each reside
10 within a county located in the lower basin of the Sabine River,
11 including Panola, Shelby, San Augustine, Sabine, Jasper, Newton,
12 and Orange counties. One member of the Board of Directors must
13 reside within any county situated wholly or partially within the
14 watershed of the Sabine River. The Directors shall hold office
15 after their appointment and qualification until their successors
16 shall be appointed and qualified. Should any vacancy occur in the
17 Board of Directors the same may be filled in like manner by the
18 Governor of Texas for the unexpired term. The Directors appointed
19 shall within fifteen (15) days after their appointment qualify by
20 taking the official oath and filing a good and sufficient bond with
21 the Secretary of State; the official bond of each Director to be in
22 the sum of One Thousand Dollars (\$1,000), and shall be payable to
23 the district, shall be conditioned upon the faithful performance of
24 official duties of such Director, and shall be subject to approval
25 by the Secretary of State of the State of Texas.

26 SECTION 3. Section 4, Chapter 110, Acts of the 51st
27 Legislature, Regular Session, 1949, is amended to read as follows:

1 Sec. 4. The Governor shall designate a Director as the
 2 President of the Board to serve in that capacity at the pleasure of
 3 the Governor. The Directors of the district shall organize by
 4 electing one of their members [~~President, one~~] Vice-President, one
 5 Secretary, and a Secretary pro tem. Five (5) Directors shall
 6 constitute a quorum at any meeting, and a concurrence of a majority
 7 of those present shall be sufficient in all matters pertaining to
 8 the business of the district, except the letting of construction
 9 contracts and the authorization of issuance of bonds, which shall
 10 require the concurrence of five (5) Directors. Warrants for the
 11 payment of money may be drawn and signed by two (2) officers or
 12 employees designated by resolution entered on the minutes of the
 13 Directors, when such accounts have been contracted and ordered paid
 14 by the Board of Directors.

15 SECTION 4. Chapter 110, Acts of the 51st Legislature,
 16 Regular Session, 1949, is amended by adding Sections 4A, 4B, 6A, and
 17 6B to read as follows:

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

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

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

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

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

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

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

8 (c) If the manager of the district has knowledge that a
9 potential ground for removal exists, the manager shall notify the
10 President of the Board of the potential ground. The President shall
11 then notify the Governor and the Attorney General that a potential
12 ground for removal exists. If the potential ground for removal
13 involves the President, the manager shall notify the next highest
14 ranking Director, who shall then notify the Governor and the
15 Attorney General that a potential ground for removal exists.

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

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

23 (1) the law governing district operations;

24 (2) the programs, functions, rules, and budget of the
25 district;

26 (3) the scope of and limitations on the rulemaking
27 authority of the Board of Directors;

1 (4) the results of the most recent formal audit of the
2 district;

3 (5) the requirements of:

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

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

9 (6) any applicable ethics policies adopted by the
10 district or the Texas Ethics Commission.

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

15 (d) The manager of the district shall create a training
16 manual that includes the information required by Subsection (b) of
17 this section. The manager shall distribute a copy of the training
18 manual annually to each Director. Each Director shall sign and
19 submit to the manager a statement acknowledging that the Director
20 received and has reviewed the training manual.

21 Sec. 6A. (a) The district shall maintain a system to
22 promptly and efficiently act on complaints filed with the district.
23 The district shall maintain information about parties to the
24 complaint, the subject matter of the complaint, a summary of the
25 results of the review or investigation of the complaint, and its
26 disposition.

27 (b) The district shall make information available

1 describing its procedures for complaint investigation and
2 resolution.

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

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

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

12 Sec. 10. The Directors shall ~~[may]~~ employ a manager for the
13 district, and may give the manager ~~[him]~~ full authority in the
14 management and operation of the district affairs (subject only to
15 the orders of the Board of Directors). Compensation to be paid such
16 manager and all employees shall be fixed by the Board of Directors
17 and all employees may be removed by the Board.

18 SECTION 6. Chapter 110, Acts of the 51st Legislature,
19 Regular Session, 1949, is amended by adding Section 10A to read as
20 follows:

21 Sec. 10A. The Board of Directors shall develop and
22 implement policies that clearly separate the policy-making
23 responsibilities of the Board and the management responsibilities
24 of the manager and the employees of the district.

25 SECTION 7. (a) Notwithstanding the changes in law made by
26 this Act in Section 3, Chapter 110, Acts of the 51st Legislature,
27 Regular Session, 1949, and except as provided by Subsection (b) of

1 this section, a director of the Sabine River Authority of Texas
2 serving on the effective date of this Act shall continue in office
3 until the member's successor is appointed and qualifies for office.

4 (b) At the first meeting of the board of directors of the
5 Sabine River Authority of Texas that follows the effective date of
6 this Act, the three directors of the Sabine River Authority of Texas
7 whose terms would expire on July 6, 2031, shall draw lots to
8 determine which two directors will serve terms that expire on July
9 6, 2029, and which director will serve a term that expires on July
10 6, 2027.

11 SECTION 8. (a) Except as provided by Subsection (b) of
12 this section, Section 4B, Chapter 110, Acts of the 51st
13 Legislature, Regular Session, 1949, as added by this Act, applies
14 to a member of the board of directors of the Sabine River Authority
15 of Texas appointed before, on, or after the effective date of this
16 Act.

17 (b) Notwithstanding Section 4B, Chapter 110, Acts of the
18 51st Legislature, Regular Session, 1949, as added by this Act, a
19 person serving on the board of directors of the Sabine River
20 Authority of Texas may vote, deliberate, and be counted as a
21 director in attendance at a meeting of the board until December 1,
22 2025. A director may not vote, deliberate, or be counted as a
23 member in attendance at a meeting of the board held on or after
24 December 1, 2025, until the member completes the training required
25 by that section.

26 SECTION 9. (a) The legal notice of the intention to
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a
2 copy of this Act have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

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

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

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

17 SECTION 10. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2406 passed the Senate on April 9, 2025, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 28, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 2406 passed the House, with amendment, on May 24, 2025, by the following vote: Yeas 123, Nays 8, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor