

By: Blanco, et al.

S.B. No. 2409

A BILL TO BE ENTITLED

AN ACT

relating to the Angelina and Neches River Authority, 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 8501.0015(a), Special District Local Laws Code, is amended to read as follows:

(a) The authority 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 authority were a state agency scheduled to be abolished September 1, 2037 [~~2025~~], and every 12th year after that year.

SECTION 2. Subchapter C, Chapter 8501, Special District Local Laws Code, is amended by adding Section 8501.1011 to read as follows:

Sec. 8501.1011. TRAINING REQUIRED FOR BOARD MEMBERS. (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;

1 (2) the programs, functions, rules, and budget of the
2 authority;

3 (3) the scope of and limitations on the rulemaking
4 authority of the board;

5 (4) the results of the most recent formal audit of the
6 authority;

7 (5) the requirements of:

8 (A) laws relating to open meetings, public
9 information, administrative procedure, and disclosing
10 conflicts-of-interest; and

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

13 (6) any applicable ethics policies adopted by the
14 authority or the Texas Ethics Commission.

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

19 (d) The general manager of the authority shall create a
20 training manual that includes the information required by
21 Subsection (b). The general manager shall distribute a copy of the
22 training manual annually to each director. Each director shall
23 sign and submit to the general manager a statement acknowledging
24 that the director received and has reviewed the training manual.

25 SECTION 3. Sections 8501.107(a) and (c), Special District
26 Local Laws Code, are amended to read as follows:

27 (a) The governor ~~[board]~~ shall designate ~~[elect]~~ one of the

1 directors as president of the board to serve in that capacity at the
2 pleasure of the governor. The board shall elect~~[7]~~ one director as
3 vice president~~[7]~~ and one as secretary-treasurer.

4 (c) The vice president shall act as president if the
5 president is absent or unable to act ~~[disabled]~~.

6 SECTION 4. Subchapter C, Chapter 8501, Special District
7 Local Laws Code, is amended by adding Sections 8501.1071,
8 8501.1081, 8501.1082, 8501.1083, and 8501.114 to read as follows:

9 Sec. 8501.1071. REMOVAL OF DIRECTOR. (a) It is a ground
10 for removal from the board that a director:

11 (1) does not have at the time of taking office the
12 qualifications required by Section 8501.101;

13 (2) does not maintain during service on the board
14 qualifications required by Section 8501.101;

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 general manager has knowledge that a potential
27 ground for removal exists, the general manager shall notify the

1 president of the board of the potential ground. The president of
2 the board shall then notify the governor and the attorney general
3 that a potential ground for removal exists. If the potential ground
4 for removal involves the president of the board, the general
5 manager shall notify the next highest ranking director, who shall
6 then notify the governor and the attorney general that a potential
7 ground for removal exists.

8 Sec. 8501.1081. PUBLIC TESTIMONY. The board shall develop
9 and implement policies that provide the public with a reasonable
10 opportunity to appear before the board and to speak on any issue
11 under the jurisdiction of the authority.

12 Sec. 8501.1082. GENERAL MANAGER. The board shall employ a
13 general manager.

14 Sec. 8501.1083. SEPARATION OF POLICYMAKING AND STAFF
15 FUNCTIONS. The board shall develop and implement policies that
16 clearly separate the policy-making responsibilities of the board
17 and the management responsibilities of the general manager and the
18 employees of the authority.

19 Sec. 8501.114. COMPLAINT SYSTEM. (a) The authority shall
20 maintain a system to promptly and efficiently act on complaints
21 filed with the authority. The authority shall maintain information
22 about parties to the complaint, the subject matter of the
23 complaint, a summary of the results of the review or investigation
24 of the complaint, and its disposition.

25 (b) The authority shall make information available
26 describing its procedures for complaint investigation and
27 resolution.

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

4 SECTION 5. (a) Except as provided by Subsection (b) of this
5 section, Section 8501.1011, Special District Local Laws Code, as
6 added by this Act, applies to a member of the board of directors of
7 the Angelina and Neches River Authority appointed before, on, or
8 after the effective date of this Act.

9 (b) Notwithstanding Section 8501.1011, Special District
10 Local Laws Code, as added by this Act, a member of the board of
11 directors of the Angelina and Neches River Authority may vote,
12 deliberate, and be counted as a director in attendance at a meeting
13 of the board until December 1, 2025. A member of the board may not
14 vote, deliberate, or be counted as a director in attendance at a
15 meeting of the board held on or after December 1, 2025, until the
16 member completes the training required by that section.

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

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

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

8 SECTION 7. This Act takes effect September 1, 2025.