

BILL ANALYSIS

S.B. 626
By: Birdwell
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The legislature created the Guadalupe-Blanco River Authority in 1933 to develop, conserve, and protect the water of the Guadalupe and Blanco Rivers. Subject to review but not abolishment under the Texas Sunset Act, the Sunset Advisory Commission recommended the authority implement several best practices aimed at increasing transparency and repairing a strained reputation with customers and other partners. S.B. 626 seeks to make several statutory modifications aimed at addressing those and other commission recommendations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 626 amends Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933, to revise provisions relating to the Guadalupe-Blanco River Authority, following the recommendations of the Sunset Advisory Commission. The bill updates the authority's sunset review schedule and sets it for review as if it were a state agency scheduled to be abolished September 1, 2031. The bill revises the statutory provisions to which the authority is expressly subject.

S.B. 626 removes a provision providing for compensation for a member of the authority's board of directors. The bill increases from greater than \$10,000 to greater than \$100,000 the amount of a contract that requires authorization or ratification by the affirmative vote of at least five directors. The bill prohibits a person who is appointed to and qualifies for office as a director from voting, deliberating, or being counted as a director in attendance at a board meeting until the person completes a training program. The bill sets out provisions relating to such program and a related training manual. The bill includes a temporary provision set to expire January 1, 2020, authorizing a board member, notwithstanding such prohibition, to vote, deliberate, and be counted as a director in attendance at a meeting of the board until December 1, 2019.

S.B. 626 requires the governor to designate a board member as the board's presiding officer to serve in that capacity at the governor's pleasure. The bill sets the term of the board president serving on the bill's effective date to expire September 1, 2019. The bill authorizes the director serving as president on such date to continue to serve on the board until the director's successor is appointed and has qualified. The bill requires the governor, not later than September 2, 2019, to designate a director as board president.

S.B. 626 requires the board to develop and implement policies that clearly separate the policymaking responsibilities of the board and the management responsibilities of the general manager and the staff of the authority. The bill requires the board to develop a policy to encourage the use of appropriate alternative dispute resolution procedures under the Governmental Dispute Resolution Act to assist in the resolution of internal and external disputes under the authority's jurisdiction and sets out provisions relating to such policy and procedures. The bill requires the board to 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 authority's jurisdiction and sets out related provisions. The bill requires the authority to maintain a system to promptly and efficiently act on complaints filed with the authority and sets out related provisions. The bill requires the authority to adopt an asset management plan and sets out related provisions.

S.B. 626 repeals Section 8, Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933, which prohibits an authority director, officer, agent, or employee from being interested in a contract for the purchase of any property or construction of any work by or for the authority and provides for a related felony.

EFFECTIVE DATE

September 1, 2019.