

BILL ANALYSIS

Senate Research Center
81R4435 SGA-F

S.B. 725
By: Estes
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since the first Texas river authority was created in 1929, river authorities have expanded in size and mission to the point that oversight and a periodic review is necessary. A Sunset review of certain river authorities and other water authorities would serve as an opportunity to evaluate each entity's powers and duties, financing, fee structures, service areas, board compositions, relationships with other water authorities, competition with private sector providers, communities served, and contribution to the state's water plan.

Surface water belongs to the state; however, there are no general law provisions for the creation of river authorities and there is no general purpose definition of a "river authority." Periodic review of river authority duties and functions is necessary to ensure maximized benefit of our most precious resource. Sunset review of these entities will result in a more consistent and uniform system if managing state water, greater transparency, and increased accountability to Texans.

As proposed, S.B. 725 requires major river authorities and other water authorities to undergo a staggered Sunset review. The bill provides that listed authorities are subject to review and abolishment as if they were state agencies but shall pay the cost incurred by the Texas Sunset Advisory Commission in performing the review.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. SUNSET ACT. Amends Chapter 325, Government Code, by adding Section 325.025, as follows:

Sec. 325.025. CERTAIN RIVER AUTHORITIES AND OTHER WATER AUTHORITIES SUBJECT TO REVIEW AND ABOLISHMENT. (a) Provides that a river authority or water authority listed in Subsection (b) is subject to review and abolishment under this chapter as if it were a state agency.

(b) Provides that this section applies only to the Brazos River Authority, Canadian River Municipal Water Authority, Guadalupe-Blanco River Authority, Gulf Coast Water Authority, Lower Colorado River Authority, Lower Neches Valley Authority, Sabine River Authority of Texas, San Antonio River Authority, San Jacinto River Authority, and Trinity River Authority of Texas.

(c) Requires a river or water authority to pay the cost incurred by the Sunset Advisory Commission (commission) in performing a review of the authority under this section. Requires the commission to determine the cost and the authority to pay the amount promptly on receipt of a statement from the commission detailing the cost.

SECTION 2. BRAZOS RIVER AUTHORITY. Amends Chapter 8502, Special District Local Laws Code, by adding Section 8502.0021, as follows:

Sec. 8502.0021. APPLICATION OF SUNSET ACT. Provides that the Brazos River Authority is subject to Section 325.025, Government Code. Provides that unless the Brazos River Authority is continued in existence as provided by Chapter 325 (Sunset Law) of that code, on September 1, 2013, the Brazos River Authority is abolished, the assets of the Brazos River Authority are transferred to this state, and this chapter expires.

SECTION 3. CANADIAN RIVER MUNICIPAL WATER AUTHORITY. Amends Chapter 243, Acts of the 53rd Legislature, Regular Session, 1953, by adding Section 1A, as follows:

Sec. 1A. APPLICATION OF SUNSET ACT. Provides that the Canadian River Municipal Water Authority is subject to Section 325.025, Government Code. Provides that, unless the Canadian River Municipal Water Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2015, the Canadian River Municipal Water Authority is abolished, the assets of the Canadian River Municipal Water Authority are transferred to this state, and this Act expires.

SECTION 4. GUADALUPE-BLANCO RIVER AUTHORITY. Amends Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933, by adding Section 1A, as follows:

Sec. 1A. Provides that the Guadalupe-Blanco River Authority is subject to Section 325.025, Government Code. Provides that, unless the Guadalupe-Blanco River Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2013, the Guadalupe-Blanco River Authority is abolished, the assets of the Guadalupe-Blanco River Authority are transferred to this state, and this Act expires.

SECTION 5. GULF COAST WATER AUTHORITY. Amends Chapter 712, Acts of the 59th Legislature, Regular Session, 1965, by adding Section 1A, as follows:

Sec. 1A. Provides that the Gulf Coast Water Authority is subject to Section 325.025, Government Code. Provides that, unless the Gulf Coast Water Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2015, the Gulf Coast Water Authority is abolished, the assets of the Gulf Coast Water Authority are transferred to this state, and this Act expires.

SECTION 6. LOWER COLORADO RIVER AUTHORITY. Amends Chapter 8503, Special District Local Laws Code, by adding Section 8503.0021, as follows:

Sec. 8503.0021. APPLICATION OF SUNSET ACT. Provides that the Lower Colorado River Authority is subject to Section 325.025, Government Code. Provides that unless the Lower Colorado River Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2011, the Lower Colorado River Authority is abolished, the assets of the Lower Colorado River Authority are transferred to this state, and this chapter expires.

SECTION 7. LOWER NECHES VALLEY AUTHORITY. Amends Chapter 63, Acts of the 43rd Legislature, 1st Called Session, 1933, by adding Section 1A, as follows:

Sec. 1A. Provides that the Lower Neches Valley Authority is subject to Section 325.025, Government Code. Provides that, unless the Lower Neches Valley Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2015, the Lower Neches Valley Authority is abolished, the assets of the Lower Neches Valley Authority are transferred to this state, and this Act expires.

SECTION 8. SABINE RIVER AUTHORITY OF TEXAS. Amends Chapter 110, Acts of the 51st Legislature, Regular Session, 1949, by adding Section 2A, as follows:

Sec. 2A. Provides that the Sabine River Authority of Texas is subject to Section 325.025, Government Code. Provides that, unless the Sabine River Authority of Texas is continued in existence as provided by Chapter 325 of that code, on September 1, 2011, the Sabine River Authority of Texas is abolished, the assets of the Sabine River Authority of Texas are transferred to this state, and this Act expires.

SECTION 9. SAN ANTONIO RIVER AUTHORITY. Amends Chapter 276, Acts of the 45th Legislature, Regular Session, 1937, by adding Section 1A, as follows:

Sec. 1A. APPLICATION OF THE SUNSET ACT. Provides that the San Antonio River Authority is subject to Section 325.025, Government Code. Provides that, unless the San Antonio River Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2013, the San Antonio River Authority is abolished, the assets of the San Antonio River Authority are transferred to this state, and this Act expires.

SECTION 10. SAN JACINTO RIVER AUTHORITY. Amends Chapter 426, Acts of the 45th Legislature, Regular Session, 1937, by adding Section 1A, as follows:

Sec. 1A. Provides that the San Jacinto River Authority is subject to Section 325.025, Government Code. Provides that, unless the San Jacinto River Authority is continued in existence as provided by Chapter 325 of that code, on September 1, 2015, the San Jacinto River Authority is abolished, the assets of the San Jacinto River Authority are transferred to this state, and this Act expires.

SECTION 11. TRINITY RIVER AUTHORITY OF TEXAS. Amends Chapter 518, Acts of the 54th Legislature, Regular Session, 1955, by adding Section 1A, as follows:

Sec. 1A. Provides that the Trinity River Authority of Texas is subject to Section 325.025, Government Code. Provides that, unless the Trinity River Authority of Texas is continued in existence as provided by Chapter 325 of that code, on September 1, 2015, the Trinity River Authority of Texas is abolished, the assets of the Trinity River Authority of Texas are transferred to this state, and this Act expires.

SECTION 12. EFFECTIVE DATE. Effective date: upon passage or September 1, 2009.