

## **BILL ANALYSIS**

Senate Research Center

S.B. 22  
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Finance  
3/7/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

According to the 2012 State Water Plan, the population of Texas is expected to increase 82 percent between 2010 and 2060. To keep up with this growing population, Texas must implement new water supply projects to meet the expected 8.3 million acre-feet of additional water supply needed by 2060.

S.B. 22 proposes to appropriate \$2 billion from the Economic Stabilization Fund to the State Water Implementation Fund for Texas to provide assistance with projects in the State Water Plan. In addition, the bill also restructures the Texas Water Development Board to a three member full-time board.

As proposed, S.B. 22 amends current law relating to the administration of the Texas Water Development Board, and makes an appropriation from the economic stabilization fund to finance certain water-related projects.

### **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. Amends Section 6.052(a), Water Code, to provide that the Texas Water Development Board (TWDB) is composed of three, rather than six, members who are appointed by the governor with the advice and consent of the senate.

SECTION 2. Amends Section 6.054(c), Water Code, as follows:

(c) Requires the executive administrator of TWB, if the executive administrator or a member has knowledge that a potential ground for removal exists, to notify the chairman of TWDB of the potential ground. Requires the chairman of TWDB to then notify the governor and attorney general that a potential ground for removal exists. Requires the executive administrator or another member of TWDB, if the potential ground for removal includes the chairman of TWDB, to notify the member of TWDB with the most seniority, rather than the next highest ranking officer, who shall then notify the governor and the attorney general that a potential ground for removal exists.

SECTION 3. Amends Section 6.056, Water Code, as follows:

Sec. 6.056. TERMS OF OFFICE. (a) Creates this subsection from existing text. Provides that the members of TWDB hold office for staggered terms of six years, with the term of one member, rather than two members, expiring February 1 of each odd-numbered year, rather than every two years. Provides that each member holds office until a successor is appointed and has qualified. Makes a nonsubstantive change.

(b) Prohibits a person appointed to TWDB from serving for more than two six-year terms.

SECTION 4. Amends Section 6.059, Water Code, as follows:

Sec. 6.059. New heading: CHAIRMAN OF THE BOARD. Requires the governor to designate one member as chairman of TWDB to serve at the will of the governor. Deletes existing text requiring the members of TWDB to elect a vice-chairman every two years. Deletes existing text requiring TWDB to fill the vacancy in the office of vice-chairman for the remainder of the unexpired term.

SECTION 5. Amends Sections 6.060(a) and (b), Water Code, as follows:

(a) Requires TWDB to hold regular meetings and all hearings at times specified by a TWDB order and entered in its minutes, rather than requiring TWDB to meet at least once every other month on a day and at a place within the state selected by TWDB, subject to recesses at the discretion of TWDB. Authorizes TWDB, to hold special meetings at the times and places in the state that TWDB decides are appropriate for the performance of its duties. Requires the chairman of TWDB or the TWDB member acting for the chairman to give the other members reasonable notice before holding a special meeting, rather than requiring the chairman or two TWDB members to call a special meeting at any time by giving notice to the other members.

(b) Requires the chairman, rather than requiring the chairman or in his absence the vice-chairman, to preside at all meetings of TWDB. Authorizes the chairman to designate another TWDB member to act for the chairman in the chairman's absent.

SECTION 6. Amends Section 6.061, Water Code, as follows:

Sec. 6.061. New heading: FULL-TIME SERVICE. Requires each member of TWDB to serve on a full-time basis. Deletes existing text entitling a member to receive an amount as provided by the General Appropriations Act for each day he serves in the performance of his duties, together with travel and other necessary expenses.

SECTION 7. Amends Section 6.103, Water Code, to require the executive administrator to report to the chairman of TWDB.

SECTION 8. (a) Provides that if the state water implementation fund for Texas is created by legislation enacted by the 83rd Legislature, Regular Session, 2013, the amount of \$2 billion is appropriated from the economic stabilization fund to the comptroller of public accounts (comptroller) for the purpose of depositing that amount to the credit of the state water implementation fund for Texas as money available for use by TWDB for the purposes of the state water implementation fund for Texas.

(b) Provides that if the state water implementation fund for Texas is not created by legislation enacted by the 83rd Legislature, Regular Session, 2013, the amount of \$2 billion is appropriated from the economic stabilization fund to the comptroller for the purpose of depositing that amount to the credit of the Texas Water Development Fund II as money available for use by TWDB for the purposes of the Texas Water Development Fund II.

SECTION 9. (a) Requires the governor, not later than September 1, 2013, to appoint the initial members of TWDB under Section 6.052, Water Code, as amended by this Act. Requires the governor, in appointing the initial members of TWDB, to appoint one person to a term expiring February 1, 2015, one to a term expiring February 1, 2017, and one to a term expiring February 1, 2019.

(b) Provides that the terms of the current members of TWDB expire September 1, 2013.

SECTION 10. Effective date: upon passage or September 1, 2013.