

BILL ANALYSIS

Senate Research Center
85R5472 AAF-D

S.B. 1131
By: Hinojosa
Transportation
4/6/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1131 clarifies the duties of a navigation district treasurer and a district's designated officer in making payments from district funds.

For navigation districts operating under Article XVI, Section 59, of the Texas Constitution, Section 62.073, Water Code, states that the county treasurer of the district's county of jurisdiction is also the district's treasurer. Under Section 62.153, Water Code, the district treasurer is required to open a bank account for all funds received by the district and is authorized to make payments out of this account on vouchers signed by authorized signatories.

Certain navigation districts are also authorized under Section 62.155, Water Code, to deposit all revenues of the navigation district, except revenues derived from taxation, in a banking corporation selected by the navigation and canal commission (commission). Under Section 60.271(f), Water Code, the designated officer of a navigation district may draw checks on this account by following the payment procedures adopted by the commission.

When a district operates under Section 62.155, Water Code, the role of the district treasurer (i.e., the county treasurer or county clerk, as the case may be) is not clear.

This bill clarifies that a navigation district's designated officer may draw checks on a bank account established under Section 62.155, Water Code, without authorization from the district treasurer.

As proposed, S.B. 1131 amends current law relating to the powers and duties of a designated officer of a navigation district.

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 62.153, Water Code, as follows:

Sec. 62.153. New heading: DUTIES OF DISTRICT TREASURER; AUTHORITY OF DESIGNATED OFFICER. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes a designated officer of a navigation district to make a payment on behalf of the district by a check drawn on a depository selected under Section 62.155 (Deposit in Banking Corporation) in a manner consistent with the payment procedures adopted under Section 60.271(f) (relating to the requirement for a district to adopt certain payment procedures) without authorization by the district treasurer.

SECTION 2. Effective date: September 1, 2017.