

BILL ANALYSIS

Senate Research Center
85R2057 MCK-F

S.B. 347
By: Watson
Business & Commerce
1/26/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is divided into 16 regional water planning areas, with regional water planning groups (RWPGs) that prepare Regional Water Plans for their respective geographic regions on five-year planning cycles. Each RWPG is composed of members who represent 12 statutorily listed interest groups, at a minimum, as well as additional representation deemed appropriate for the area. The Texas Water Development Board provides general guidelines for RWPGs to follow, and individual RWPGs prepare their own bylaws and manage their own operations.

At the end of each planning cycle, the Regional Water Plans are submitted to the TWDB for approval and inclusion in the newest State Water Plan. In 2013, the legislature established the State Water Implementation Fund for Texas (SWIFT) and funded it with \$2 billion to be used as a revolving fund to support water projects throughout the state. With the establishment of the SWIFT, the importance of the RWPGs has grown immensely, and it is critical that the regional planning process be open and transparent for the sake of efficient and effective future planning and for public participation in how the State's resources and finances are used.

The Open Meetings and Public Information Acts are ambiguous regarding their application to regional water planning groups, including their committees and subcommittees. While TWDB rules state that RWPGs shall conduct their business in meetings posted and held in accordance with the Open Meetings Act, there is evidence that some RWPGs have not followed this requirement, and not all RWPGs provide public notice of committee, subcommittee, and/or work group meetings. Similarly, there are questions regarding the obligations of RWPGs to provide documents to requestors under the Public Information Act.

SB 347 would provide statutory clarity that the business of the RWPGs, including their committees and/or subcommittees, shall be conducted in accordance with the Texas Open Meetings and Public Information Acts.

As proposed, S.B. 347 amends current law relating to the applicability of open meetings and public information laws to regional water planning groups and their committees.

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 16.053(h), Water Code, by amending Subdivision (2) and adding Subdivision (12), as follows:

(2) Requires the regional water planning group to provide an ongoing opportunity for public participation, rather than public input, during the preparation of the regional water plan.

(12) Provides that each regional water planning group and any committee of a regional water planning group are subject to Chapter 551 (Open Meetings) and 552 (Public Information), Government Code.

SECTION 2. Effective date: September 1, 2017.