

BILL ANALYSIS

Senate Research Center

S.B. 1316
By: Barrientos
Natural Resources
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As Filed

DIGEST

Currently, directors of water districts are allowed a fee for serving of \$100 per day not to exceed \$6,000 per year. Because a position as director is considered by constitutional and statutory law as an office, state employees and certain local government employees cannot serve as a district director and receive the fee without violating dual office holding provisions. However, officials can receive a per diem payment without it counting as a salary and thus avoid the dual office holding provision. This bill will authorize a director of a water district to elect to receive a per diem payment for each day spent on district business, not to exceed \$6,000 per year.

PURPOSE

As proposed, S.B. 1316 authorizes a director of a water district to elect to receive a per diem payment for each day spent on district business, not to exceed \$6,000 per year.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 49.060, Water Code, by redesignating Subsection (d) as Subsection (e), and adding a new Subsection (d), to authorize a director of a water district, instead of the fees of office and reimbursement of actual expenses, to elect to receive a per diem of \$100 for each day the director actually spends performing the duties of a director. Prohibits the total per diems received from exceeding \$6,000 per annum except for directors of a special water authority that is engaged in the distribution and sale of electric energy to the public. Requires each director, in order to receive the per diem, to file with the district a general description of the duties performed for each day of service.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.