

BILL ANALYSIS

Senate Research Center

H.B. 1462
By: Flores (Hinojosa)
Natural Resources
5/20/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law the Texas Water Development Board (board) does not have any authority to refer an applicant for or recipient of financial assistance from the board to any outside state agency for investigation or initiation of an enforcement action. When evidence of possible wrongdoings are made known, the board is not in a position to pass this knowledge on to the proper authorities. H.B. 1462 provides the board the authority to refer a potential problem to another state authority for further investigation.

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 Subchapter E, Chapter 6, Water Code, by adding Section 6.1555, as follows:

Sec. 6.1555. REFERRAL FOR INVESTIGATION OR ENFORCEMENT ACTION. (a) Authorizes the Texas Water Development Board (board), as the result of a complaint filed with the board or on the board's own motion, to refer an applicant for or recipient of financial assistance from the board or the Texas Commission on Environmental Quality, the state auditor's office, the Texas Rangers, or another state agency, office, or division, as appropriate, for the investigation of, or the initiation of an enforcement action against, the applicant or recipient.

(b) Requires the executive administrator to transmit the referral to the appropriate state agency, office, or division, monitor the progress of the investigation or enforcement action, and report to the board on a quarterly basis.

SECTION 2. Effective date: upon passage or September 1, 2005.