

## **BILL ANALYSIS**

Senate Research Center  
87R5558 SLB-D

S.B. 739  
By: Birdwell  
Water, Agriculture & Rural Affairs  
4/8/2021  
As Filed

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

Under current law, the legislature—pursuant to Section 59, Article XVI, Texas Constitution—may create regional water management entities to provide water development and planning services to a river basin or portion of a river basin, known as river authorities. Each river authority is governed by a board of directors with a number of members specified in the enabling legislation. Board members are either citizen-elected or appointed by the governor, serving term lengths specified in the enabling legislation (generally six-year staggered terms).

Because each river authority is created individually through separate enabling legislation, there is lack of uniformity in the leadership structure of the boards of directors. This means that some presiding officers are elected by the boards themselves, while others are appointed by the governor.

Having the governor designate the presiding officer of agency boards ensures a more direct connection between the board and the state's highest elected official. This reform will increase the agency's accountability to the state's leadership.

As proposed, S.B. 739 amends current law relating to the presiding officers of the boards of directors of river authorities.

### **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 Title 5, Water Code, by designating Chapter 152 as Subtitle A and adding a subtitle heading, to read as follows:

#### **SUBTITLE A. RIVER AUTHORITIES**

SECTION 2. Amends Subtitle A, Title 5, Water Code, as added by this Act, by adding Chapter 150, as follows:

#### **CHAPTER 150. PROVISIONS GENERALLY APPLICABLE TO RIVER AUTHORITIES**

Sec. 150.0001. DEFINITIONS. Defines "board" and "river authority."

Sec. 150.0002. PRESIDING OFFICER. (a) Provides that this section does not apply to a district with an entirely elected board or the Upper Neches River Municipal Water Authority.

(b) Requires the governor to designate a member of the board of a river authority as the presiding officer of the board to serve in that capacity at the pleasure of the governor.

SECTION 3. (a) Defines "river authority."

(b) Requires the governor, for each river authority for which the governor was not required to designate a presiding officer of the board of directors for that river authority before the effective date of this Act and for which the governor is required to designate a presiding officer under Section 150.0002, Water Code, as added by this Act, to designate a presiding officer of the board of directors of the river authority not later than January 31, 2022.

SECTION 4. Effective date: September 1, 2021.