

1-1 By: Watson, et al. S.B. No. 606  
 1-2 (In the Senate - Filed February 8, 2019; February 21, 2019,  
 1-3 read first time and referred to Committee on Water & Rural Affairs;  
 1-4 April 4, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 4, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 606 By: Creighton

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the Lower Colorado River Authority, following  
 1-20 recommendations of the Sunset Advisory Commission.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 8503.0021(a), Special District Local  
 1-23 Laws Code, is amended to read as follows:

1-24 (a) The authority is subject to review under Chapter 325,  
 1-25 Government Code (Texas Sunset Act), but may not be abolished under  
 1-26 that chapter. The review shall not include the management of the  
 1-27 generation or transmission of electricity under the wholesale  
 1-28 electricity operation of the authority and the authority's  
 1-29 affiliated nonprofit corporations. The review shall be conducted  
 1-30 under Section 325.025, Government Code, as if the authority were a  
 1-31 state agency scheduled to be abolished September 1, 2031 [2019],  
 1-32 and every 12th year after that year.

1-33 SECTION 2. Chapter 8503, Special District Local Laws Code,  
 1-34 is amended by adding Sections 8503.0065, 8503.0105, 8503.0106,  
 1-35 8503.0107, and 8503.0108 to read as follows:

1-36 Sec. 8503.0065. DIRECTOR TRAINING. (a) A person who is  
 1-37 appointed to and qualifies for office as a director may not vote,  
 1-38 deliberate, or be counted as a director in attendance at a board  
 1-39 meeting until the person completes a training program that complies  
 1-40 with this section.

1-41 (b) The training program must provide the person with  
 1-42 information regarding:

1-43 (1) the law governing authority operations;

1-44 (2) the programs, functions, rules, and budget of the  
 1-45 authority;

1-46 (3) the results of the most recent formal audit of the  
 1-47 authority;

1-48 (4) the requirements of:

1-49 (A) laws relating to open meetings, public  
 1-50 information, administrative procedure, and disclosure of conflicts  
 1-51 of interest; and

1-52 (B) other laws applicable to members of the  
 1-53 governing body of a river authority in performing their duties; and

1-54 (5) any applicable ethics policies adopted by the  
 1-55 authority or the Texas Ethics Commission.

1-56 (c) A person appointed to the board is entitled to  
 1-57 reimbursement for the travel expenses incurred in attending the  
 1-58 training program regardless of whether the attendance at the  
 1-59 program occurs before or after the person qualifies for office.

1-60 (d) The general manager of the authority shall create a

2-1 training manual that includes the information required by  
 2-2 Subsection (b). The general manager shall distribute a copy of the  
 2-3 training manual annually to each director. Each director shall  
 2-4 sign and submit to the general manager a statement acknowledging  
 2-5 that the director has received and reviewed the training manual.

2-6 Sec. 8503.0105. PUBLIC ENGAGEMENT POLICY. The board shall  
 2-7 develop and implement a policy that provides a structure for public  
 2-8 engagement in regard to water supply projects. The policy must  
 2-9 include a clear and detailed description of how the authority will  
 2-10 seek to actively engage stakeholders, including the possible use  
 2-11 of:

- 2-12 (1) advisory committees;
- 2-13 (2) community panels;
- 2-14 (3) town hall meetings; and
- 2-15 (4) other strategies on a recurring basis.

2-16 Sec. 8503.0106. COMPLAINTS. (a) The authority shall  
 2-17 maintain a system to promptly and efficiently act on complaints  
 2-18 filed with the authority. The authority shall maintain information  
 2-19 about parties to the complaint, the subject matter of the  
 2-20 complaint, a summary of the results of the review or investigation  
 2-21 of the complaint, and its disposition.

2-22 (b) The authority shall make information available to the  
 2-23 public, including on the authority's website, describing its  
 2-24 procedures for complaint investigation and resolution.

2-25 (c) The authority shall periodically notify the complaint  
 2-26 parties of the status of the complaint until final disposition.

2-27 (d) The authority shall develop a standard form and a  
 2-28 procedure for submitting complaints to the authority and shall make  
 2-29 that form and procedure available on the authority's website. The  
 2-30 authority shall also make available on its website clear  
 2-31 information about what a person making a complaint should expect  
 2-32 after the complaint is filed, including timelines for response and  
 2-33 resolution.

2-34 Sec. 8503.0107. PUBLIC TESTIMONY. (a) In this section,  
 2-35 "committee-of-the-whole" means a committee of the board in which  
 2-36 every director is a member of the committee, regardless of whether  
 2-37 all members are present at a particular meeting of the  
 2-38 committee-of-the-whole.

2-39 (b) The board shall develop and implement policies that  
 2-40 provide the public with a reasonable opportunity to appear before  
 2-41 the board and to speak on any issue under the jurisdiction of the  
 2-42 authority.

2-43 (c) At each regular meeting of the board and each meeting as  
 2-44 a committee-of-the-whole, the board shall include public testimony  
 2-45 as a meeting agenda item and allow members of the public to comment  
 2-46 on every agenda item and other matters under the jurisdiction of the  
 2-47 authority. The board may not deliberate or decide a matter not  
 2-48 included in the meeting agenda except to discuss including the  
 2-49 matter on the agenda for a subsequent meeting.

2-50 Sec. 8503.0108. ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.  
 2-51 (a) The board shall develop a policy to encourage the use of  
 2-52 appropriate alternative dispute resolution procedures under  
 2-53 Chapter 2009, Government Code, to assist in the resolution of  
 2-54 internal and external disputes under the authority's jurisdiction.

2-55 (b) The authority's procedures relating to alternative  
 2-56 dispute resolution must conform, to the extent possible, to any  
 2-57 model guidelines issued by the State Office of Administrative  
 2-58 Hearings for the use of alternative dispute resolution by state  
 2-59 agencies.

2-60 (c) The authority shall:

- 2-61 (1) coordinate the implementation of the policy  
 2-62 adopted under Subsection (a);
- 2-63 (2) provide training as needed to implement the  
 2-64 procedures for alternative dispute resolution; and
- 2-65 (3) collect data concerning the effectiveness of those  
 2-66 procedures.

2-67 SECTION 3. Notwithstanding Section 8503.0065, Special  
 2-68 District Local Laws Code, as added by this Act, a person serving on  
 2-69 the board of directors of the Lower Colorado River Authority may

3-1 vote, deliberate, and be counted as a director in attendance at a  
3-2 meeting of the board until December 1, 2019.

3-3 SECTION 4. This Act takes effect September 1, 2019.

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