

1-1 By: Birdwell, et al. S.B. No. 627  
 1-2 (In the Senate - Filed March 11, 2019; March 18, 2019, read  
 1-3 first time and referred to Committee on Water & Rural Affairs;  
 1-4 March 27, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; March 27, 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. 627 By: Johnson

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

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

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

1-22 SECTION 1. Section 1A(a), Chapter 279, Acts of the 56th  
 1-23 Legislature, Regular Session, 1959, 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 be conducted under Section 325.025,  
 1-27 Government Code, as if the Authority were a state agency scheduled  
 1-28 to be abolished September 1, 2031 [2019], and every 12th year after  
 1-29 that year.

1-30 SECTION 2. Chapter 279, Acts of the 56th Legislature,  
 1-31 Regular Session, 1959, is amended by adding Sections 4a and 4b to  
 1-32 read as follows:

1-33 Sec. 4a. (a) It is a ground for removal from the Board that  
 1-34 a director:

1-35 (1) does not have at the time of taking office the  
 1-36 qualifications required by Section 4 of this Act;

1-37 (2) does not maintain during service on the Board the  
 1-38 qualifications required by Section 4 of this Act;

1-39 (3) is ineligible for directorship under Chapter 171,  
 1-40 Local Government Code;

1-41 (4) cannot, because of illness or disability,  
 1-42 discharge the director's duties for a substantial part of the  
 1-43 director's term; or

1-44 (5) is absent from more than half of the regularly  
 1-45 scheduled Board meetings that the director is eligible to attend  
 1-46 during a calendar year without an excuse approved by a majority vote  
 1-47 of the Board.

1-48 (b) The validity of an action of the Board is not affected by  
 1-49 the fact that it is taken when a ground for removal of a director  
 1-50 exists.

1-51 (c) If the general manager has knowledge that a potential  
 1-52 ground for removal exists, the general manager shall notify the  
 1-53 president of the Board of the potential ground. The president shall  
 1-54 then notify the Governor and the Attorney General that a potential  
 1-55 ground for removal exists. If the potential ground for removal  
 1-56 involves the president, the general manager shall notify the next  
 1-57 highest ranking director, who shall then notify the Governor and  
 1-58 the Attorney General that a potential ground for removal exists.

1-59 Sec. 4b. (a) A person who is appointed to and qualifies for  
 1-60 office as a director may not vote, deliberate, or be counted as a

2-1 director in attendance at a Board meeting until the person  
 2-2 completes a training program that complies with this section.

2-3 (b) The training program must provide the person with  
 2-4 information regarding:

2-5 (1) the law governing Authority operations;

2-6 (2) the programs, functions, rules, and budget of the  
 2-7 Authority;

2-8 (3) the results of the most recent formal audit of the  
 2-9 Authority;

2-10 (4) the requirements of:

2-11 (A) laws relating to open meetings, public  
 2-12 information, administrative procedure, and disclosure of conflicts  
 2-13 of interest; and

2-14 (B) other laws applicable to members of the  
 2-15 governing body of a river authority in performing their duties; and

2-16 (5) any applicable ethics policies adopted by the  
 2-17 Authority or the Texas Ethics Commission.

2-18 (c) A person appointed to the Board is entitled to  
 2-19 reimbursement for the travel expenses incurred in attending the  
 2-20 training program regardless of whether the attendance at the  
 2-21 program occurs before or after the person qualifies for office.

2-22 (d) The general manager shall create a training manual that  
 2-23 includes the information required by Subsection (b) of this  
 2-24 section. The general manager shall distribute a copy of the  
 2-25 training manual annually to each director. Each director shall  
 2-26 sign and submit to the general manager a statement acknowledging  
 2-27 that the director has received and reviewed the training manual.

2-28 SECTION 3. Sections 5, 7, 9, 10, and 11, Chapter 279, Acts  
 2-29 of the 56th Legislature, Regular Session, 1959, are amended to read  
 2-30 as follows:

2-31 Sec. 5. The directors of the Authority shall organize by  
 2-32 electing one ~~director~~ [of their members president, one]  
 2-33 vice-president, one secretary, and one treasurer. Five (5)  
 2-34 directors shall constitute a quorum at any meeting and a  
 2-35 concurrence of a majority of those present shall be sufficient in  
 2-36 all matters pertaining to the business of the district, except the  
 2-37 letting of construction contracts and the authorization of issuance  
 2-38 of warrants paying therefor, which shall require the concurrence of  
 2-39 seven (7) directors. Warrants for the payment of money may be drawn  
 2-40 and signed by two (2) officers or employees designated by standing  
 2-41 order entered in the minutes of the Authority when such accounts  
 2-42 have been contracted and ordered paid by the Board of Directors.

2-43 Sec. 7. The Governor shall designate a director of the Board  
 2-44 as the president of the Board to serve in that capacity at the  
 2-45 pleasure of the Governor. The president shall preside at all  
 2-46 meetings of the Board and shall be the chief executive officer of  
 2-47 the Authority. The vice-president shall act as president in case of  
 2-48 the absence or disability of the president. The secretary shall act  
 2-49 as secretary of the Board and shall be charged with the duty of  
 2-50 keeping a record of all proceedings and all orders of the Board.  
 2-51 The treasurer shall receive and receipt for all moneys received and  
 2-52 expended. In case of the absence or inability of the secretary to  
 2-53 act, a secretary pro tem shall be selected by the directors.

2-54 Sec. 9. A complete book of accounts shall be kept. The  
 2-55 account books and records of the Authority and of the depository of  
 2-56 the Authority shall be audited by a Certified Public Accountant  
 2-57 annually as soon as practicable after the end of the district's  
 2-58 fiscal year, such audit to cover a fiscal year ending September 30  
 2-59 of each year, and a report thereon shall be submitted to the first  
 2-60 regular meeting of the Board of Directors thereafter. A copy of the  
 2-61 [said] report shall be [in quadruplicate, one copy being] filed [in  
 2-62 the office of the Authority, one with the depository of the  
 2-63 Authority, one] in the office of the auditor. The copy [and one  
 2-64 with the Texas Department of Water Resources, all of which] shall be  
 2-65 open to public inspection.

2-66 Sec. 10. (a) Unless the Board by resolution increases the  
 2-67 fee to an amount authorized by Section 49.060, Water Code, the [The]  
 2-68 directors shall receive as fees of office the sum of not to exceed  
 2-69 Twenty-Five (\$25.00) Dollars per day for each day of service

3-1 necessary to the discharge of their duties, in addition to all  
 3-2 traveling expenses, provided the same is authorized by vote of the  
 3-3 Board of Directors, they shall file with the secretary on the last  
 3-4 day of each month, or as soon thereafter as practicable, a verified  
 3-5 statement showing the actual amount due and warrants shall be  
 3-6 issued therefor.

3-7 (b) In all areas of conflict with Subsection (a) of this  
 3-8 section, Section 49.060, Water Code, takes precedence.

3-9 Sec. 11. The directors may employ a general manager for the  
 3-10 Authority and may give him full authority in the management and  
 3-11 operation of the Authority's affairs (subject only to the orders of  
 3-12 the Board of Directors). The term of office and compensation to be  
 3-13 paid such manager and all employees shall be fixed by the Board of  
 3-14 Directors and all employees may be removed by the Board. A director  
 3-15 may not be employed as general manager [~~and at such compensation as~~  
 3-16 ~~may be fixed by a majority of the other directors, and when so~~  
 3-17 ~~employed he shall continue to perform the duties of a director, but~~  
 3-18 ~~shall receive no compensation as such director].~~

3-19 SECTION 4. Chapter 279, Acts of the 56th Legislature,  
 3-20 Regular Session, 1959, is amended by adding Section 11a to read as  
 3-21 follows:

3-22 Sec. 11a. The Board shall develop and implement policies  
 3-23 that clearly separate the policymaking responsibilities of the  
 3-24 Board and the management responsibilities of the general manager  
 3-25 and staff of the Authority.

3-26 SECTION 5. Section 14a, Chapter 279, Acts of the 56th  
 3-27 Legislature, Regular Session, 1959, is amended to read as follows:

3-28 Sec. 14a. (1) In addition to other purposes heretofore  
 3-29 authorized by law, the Authority shall have and is vested with all  
 3-30 the powers of the state of Texas under Section 59, Article XVI,  
 3-31 Constitution of the State of Texas, and shall likewise, have and is  
 3-32 vested with all powers, rights, privileges, and functions conferred  
 3-33 upon navigation districts by General Law. The Authority is  
 3-34 governed by and subject to Chapters 49, 60, and 62, Water Code, but  
 3-35 in all areas of conflict, Chapter 62 takes precedence. The [~~Without~~  
 3-36 ~~limitation of the generality of the foregoing, the] Authority shall  
 3-37 have and is hereby authorized to exercise the following powers,  
 3-38 rights and privileges, and functions;~~

3-39 (2) to promote, construct, maintain and operate or aid  
 3-40 and encourage, the construction, maintenance and operation of  
 3-41 navigable canals or waterways and all navigational systems or  
 3-42 facilities auxiliary thereto using the natural bed and banks of the  
 3-43 Red River, where practicable and thence traversing such route as  
 3-44 may be found by the Authority to be more feasible and practicable to  
 3-45 connect Red River in Texas with any new navigation canals to be  
 3-46 constructed in the lower reaches of Red River or to connect Red  
 3-47 River with the intercoastal canal. The Authority is empowered to  
 3-48 construct or cause to be constructed a system of artificial  
 3-49 waterways and canals, together with all locks and other works,  
 3-50 structures and artificial facilities as may be necessary and  
 3-51 convenient for the construction, maintenance and operation of  
 3-52 navigation canals or waterways and all navigational systems and  
 3-53 facilities auxiliary thereto;

3-54 (3) the right, power, and authority to acquire,  
 3-55 purchase, improve, extend, take over, construct, maintain, repair,  
 3-56 operate, develop and regulate ports, levees, wharves, docks, locks,  
 3-57 warehouses, grain elevators, dumping facilities, belt railways,  
 3-58 lands, and all other facilities or aids to navigation or aids  
 3-59 necessary to the operation or development of ports, or waterways  
 3-60 within the Red River Basin in Texas, provided, the powers conferred  
 3-61 on the Authority under the provisions of this subdivision extend to  
 3-62 a facility or aid authorized under this subdivision only if the  
 3-63 facility or aid is situated in a county or counties included as part  
 3-64 of said Authority;

3-65 (4) to acquire by gift or purchase any and all  
 3-66 properties of any kind, including lighters, tugs, barges and other  
 3-67 floating equipment of any nature, real, personal or mixed, or any  
 3-68 interest therein within or outside of the boundaries of the  
 3-69 Authority necessary to the exercise of the powers, rights,

4-1 privileges and functions conferred upon it by this Act and by  
 4-2 condemnation in the manner provided in Section 18 of the Act  
 4-3 creating the Authority, provided that the Authority shall not be  
 4-4 required to give bond for appeal or bond for costs in any judicial  
 4-5 proceedings;

4-6 (5) to control, develop, store and use the natural  
 4-7 flow and floodwaters of the Red River and its tributaries for the  
 4-8 purpose of operating and maintaining said navigable canals or  
 4-9 waterways and all navigational systems or facilities auxiliary  
 4-10 thereto, provided, however, that such navigational use shall be  
 4-11 subordinate to consumptive use of water, and navigation shall be  
 4-12 incidental thereto;

4-13 (6) to effectuate the construction, maintenance and  
 4-14 operation of bank stabilization facilities and~~[7]~~ channel  
 4-15 rectification or alignment in order~~[7]~~ to prevent and aid in  
 4-16 preventing devastation of lands from recurrent over-flows and the  
 4-17 protection of life and property in the watershed of the Red River in  
 4-18 Texas or any tributaries thereof within the Authority from  
 4-19 uncontrolled flood waters; to store and conserve to the greatest  
 4-20 beneficial use the storm, flood and unappropriated waters of the  
 4-21 Red River in Texas or any tributaries thereof within the Authority,  
 4-22 so as to prevent the escape of any water without maximum beneficial  
 4-23 use either within or without the boundaries of the Authority;

4-24 (7) if ~~[in the event]~~ the construction or maintenance  
 4-25 and operation of navigable canals or waterways and all navigational  
 4-26 systems or facilities auxiliary thereto on the Red River in Texas is  
 4-27 taken over or performed by the Federal Government or any agency of  
 4-28 the Federal Government, then ~~[and in such event]~~ the Authority may:

4-29 (A) ~~[shall be fully authorized to make and]~~ enter  
 4-30 into ~~[any such]~~ contracts that ~~[as]~~ may be ~~[lawfully]~~ required by  
 4-31 the Federal Government, including ~~[such]~~ assignments and transfers  
 4-32 of property, ~~[and rights of]~~ property rights, ~~[and]~~ easements, and  
 4-33 privileges; and

4-34 (B) take any ~~[and all]~~ other action ~~[lawful~~  
 4-35 ~~things and acts may be necessary and]~~ required by ~~[in order to meet~~  
 4-36 ~~the requirements of]~~ the Federal Government or any agency of the  
 4-37 Federal Government ~~[in taking over the construction or maintenance~~  
 4-38 ~~and operation of said navigable canals or waterways and all~~  
 4-39 ~~navigational systems or facilities auxiliary thereto];~~

4-40 (8) the Authority shall have the power to acquire  
 4-41 additional land adjacent to any permanent improvement heretofore or  
 4-42 hereafter constructed within the Authority for the purpose of  
 4-43 developing public parks and recreational facilities; the power to  
 4-44 acquire necessary right-of-way for public ingress and egress to  
 4-45 such areas. The Authority may provide recreational facilities and  
 4-46 services, and may enter into contracts and agreements with the  
 4-47 Federal Government or any agency thereof; the Parks and Wildlife  
 4-48 Department of the State of Texas, any county, municipality,  
 4-49 municipal corporation, person, firm or nonprofit organization for  
 4-50 the construction, operation and maintenance of such park or  
 4-51 recreational facility. It is legislative intent that the Authority  
 4-52 will coordinate the development of any public parks and  
 4-53 recreational facilities with the Parks and Wildlife Department for  
 4-54 conformity with the land and water resources conservation and  
 4-55 recreation plan. ~~['State Comprehensive Outdoor Recreation Plan.']~~  
 4-56 The Authority may perform all functions necessary to qualify for  
 4-57 state or federal recreational grants and loans;

4-58 (9) in addition to other purposes heretofore  
 4-59 authorized by law and as a necessary aid to the conservation,  
 4-60 control, preservation, and distribution of such water for  
 4-61 beneficial use, the Authority is authorized to purchase, construct,  
 4-62 improve, repair, operate and maintain works and facilities  
 4-63 necessary for the collection, transportation, treatment and  
 4-64 disposal of sewage and industrial waste and effluent and to issue  
 4-65 negotiable bonds for such purposes, and the Authority may make  
 4-66 contracts with cities and others under which the Authority will  
 4-67 collect, transport, treat and dispose of sewage from such cities or  
 4-68 other entities. The Authority may also make contracts with any city  
 4-69 for the use of any collection, transportation, treatment or

5-1 disposal facilities owned by such city or by the Authority;  
 5-2 (10) the bonds which may be issued under this Section,  
 5-3 shall be payable from revenues under any contract or contracts  
 5-4 described herein or from other income of the Authority. Such bonds  
 5-5 shall be in the form and shall be issued in the manner prescribed by  
 5-6 law for other revenue bonds and as provided in Sections 26, 27, 28  
 5-7 and 29, Article 8280-228.

5-8 SECTION 6. Chapter 279, Acts of the 56th Legislature,  
 5-9 Regular Session, 1959, is amended by adding Section 14e to read as  
 5-10 follows:

5-11 Sec. 14e. (a) In this section, "system" means a system for  
 5-12 the:

5-13 (1) provision of water to the public for human  
 5-14 consumption; or

5-15 (2) collection and treatment of wastewater.

5-16 (b) The Authority shall adopt an asset management plan by:

5-17 (1) preparing an asset inventory that identifies the  
 5-18 assets of each system and the condition of the assets;

5-19 (2) developing criteria to prioritize assets for  
 5-20 repair or replacement, including:

5-21 (A) the date by which the asset will need to be  
 5-22 repaired or replaced;

5-23 (B) the importance of the asset in providing safe  
 5-24 drinking water and complying with regulatory standards;

5-25 (C) the importance of the asset to the effective  
 5-26 operation of the system; and

5-27 (D) other criteria as determined by the  
 5-28 Authority;

5-29 (3) estimating asset repair and replacement costs;

5-30 (4) identifying and evaluating potential financing  
 5-31 options; and

5-32 (5) prioritizing systems that are not in compliance  
 5-33 with federal or state regulatory standards, including water quality  
 5-34 standards.

5-35 (c) The Authority shall review and revise the plan as  
 5-36 necessary to account for regulatory changes and other developments.

5-37 (d) The Board shall approve the plan annually as part of its  
 5-38 budgeting process.

5-39 SECTION 7. Sections 17 and 20, Chapter 279, Acts of the 56th  
 5-40 Legislature, Regular Session, 1959, are amended to read as follows:

5-41 Sec. 17. (a) The Authority may seek and accept  
 5-42 contributions to its funds from any source for ~~For~~ the purpose of  
 5-43 funding:

5-44 (1) ~~[providing funds requisite to secure the]~~  
 5-45 necessary studies;

5-46 (2) ~~[~~ engineering and other services; and

5-47 (3) ~~[which may be necessary,~~ the collection and  
 5-48 computation of data respecting regional and general conditions that  
 5-49 influence ~~[influencing]~~ the character and extent of the  
 5-50 improvements necessary to effect the purposes of the ~~[creation of~~  
 5-51 this] Authority to the greatest public advantage~~[, it is hereby~~  
 5-52 provided that the Authority may solicit, seek and accept  
 5-53 contributions to its funds from any other district, authority or  
 5-54 municipality, the Federal Government or the State of Texas, or from  
 5-55 any other source].

5-56 (b) Any and all grants and gratuities shall be strictly  
 5-57 accounted for and shall be subject to the same rules, regulations  
 5-58 and orders as are other funds handled or disbursed by the Authority.

5-59 Sec. 20. The Authority shall establish and collect rates  
 5-60 and other charges for the sale or use of water or for its services  
 5-61 sold, furnished or supplied which fees and charges shall be  
 5-62 reasonable and nondiscriminatory but sufficient to produce  
 5-63 revenues adequate to pay the expenses of the Authority in carrying  
 5-64 out its functions for which it is created and to fulfill the terms  
 5-65 of any agreements made with the holders of any of its obligations.  
 5-66 Provided, however, that the rates and charges for the sale or use of  
 5-67 water shall be subject to review by the Public Utility Commission of  
 5-68 Texas ~~[State Board of Water Engineers]~~, as provided by general law.

5-69 SECTION 8. Chapter 279, Acts of the 56th Legislature,

6-1 Regular Session, 1959, is amended by adding Sections 20a and 20b to  
6-2 read as follows:

6-3 Sec. 20a. (a) In this section and Section 20b, "affected  
6-4 person" has the meaning assigned by Section 13.002, Water Code.

6-5 (b) The Board shall establish a process to ensure that,  
6-6 before the Authority makes a significant change to a rate or charge  
6-7 for the sale and use of water, affected persons are provided:

6-8 (1) notice of proposed change; and

6-9 (2) an opportunity to provide to the Board comments  
6-10 regarding the proposed change.

6-11 (c) The process established under Subsection (b) must  
6-12 include:

6-13 (1) the provision of notice of a proposed change:

6-14 (A) on the Authority's website; and

6-15 (B) in an affected person's utility bills; and

6-16 (2) appropriate informational meetings or rate  
6-17 hearings that provide affected persons the opportunity to provide  
6-18 public comments about the proposed change to be held:

6-19 (A) before sending a statement of intent required  
6-20 under Chapter 13, Water Code;

6-21 (B) in locations as necessary to enable affected  
6-22 persons to attend; and

6-23 (C) after the provision of notice under  
6-24 Subdivision (1) of this subsection.

6-25 (d) The Board by rule shall establish a percentage change in  
6-26 a rate or charge such that a change greater than or equal to that  
6-27 percentage is considered significant for purposes of Subsection (b)  
6-28 of this section.

6-29 Sec. 20b. (a) The Authority shall notify affected persons  
6-30 of their right to appeal changes to rates:

6-31 (1) in any notices related to changes to rates;

6-32 (2) in utility bills sent before the deadline for  
6-33 initiating an appeal under Chapter 13, Water Code; and

6-34 (3) on the Authority's website.

6-35 (b) The notice required by Subsection (a) of this section  
6-36 must include descriptions of:

6-37 (1) the appeals process;

6-38 (2) the requirements for an appeal, including the  
6-39 number of signatures needed on a petition; and

6-40 (3) the methods available for obtaining additional  
6-41 information related to rates.

6-42 SECTION 9. Section 22, Chapter 279, Acts of the 56th  
6-43 Legislature, Regular Session, 1959, is amended to read as follows:

6-44 Sec. 22. The Authority may:

6-45 (1) ~~shall~~ make bylaws for the management and  
6-46 regulation of its affairs;

6-47 (2) ~~to adopt and~~ use a corporate seal;

6-48 (3) ~~to~~ appoint officers, attorneys, agents, and  
6-49 employees, ~~and to~~ prescribe their duties, and fix their  
6-50 compensation;

6-51 (4) ~~to~~ make ~~such~~ other contracts and execute  
6-52 instruments necessary or convenient to the exercise of ~~the~~ ~~its~~  
6-53 powers, rights, privileges and functions conferred on the Authority  
6-54 ~~upon it~~ by this Act and the general laws of the state pertaining  
6-55 to water control and improvement districts;

6-56 (5) ~~to~~ borrow money for its corporate purposes ~~and~~  
6-57 ~~without limitation of the generality of the foregoing~~; and

6-58 (6) ~~to~~ borrow money and accept grants from the  
6-59 United States of America, ~~or~~ the State of Texas, or any other  
6-60 source, and in connection with any such loan or grant, ~~to~~ enter  
6-61 into ~~such~~ agreements and assume ~~such~~ obligations as may be  
6-62 required.

6-63 SECTION 10. Chapter 279, Acts of the 56th Legislature,  
6-64 Regular Session, 1959, is amended by adding Sections 33, 34, 35, and  
6-65 36 to read as follows:

6-66 Sec. 33. (a) The Board shall develop a policy to encourage  
6-67 the use of appropriate alternative dispute resolution procedures  
6-68 under Chapter 2009, Government Code, to assist in the resolution of  
6-69 internal and external disputes under the Authority's jurisdiction.

7-1           (b) The Authority's procedures relating to alternative  
 7-2 dispute resolution must conform, to the extent possible, to any  
 7-3 model guidelines issued by the State Office of Administrative  
 7-4 Hearings for the use of alternative dispute resolution by state  
 7-5 agencies.

7-6           (c) The Authority shall:

7-7                 (1) coordinate the implementation of the policy  
 7-8 adopted under Subsection (a) of this section;

7-9                 (2) provide training as needed to implement the  
 7-10 procedures for alternative dispute resolution; and

7-11                 (3) collect data concerning the effectiveness of those  
 7-12 procedures.

7-13           Sec. 34. (a) The Board shall develop and implement  
 7-14 policies that provide the public with a reasonable opportunity to  
 7-15 appear before the Board and to speak on any issue under the  
 7-16 jurisdiction of the Authority.

7-17           (b) At each regular meeting of the Board, the Board shall  
 7-18 include public testimony as a meeting agenda item and allow members  
 7-19 of the public to comment on other agenda items and other matters  
 7-20 under the jurisdiction of the Authority. The Board may not  
 7-21 deliberate on or decide a matter not included in the meeting agenda,  
 7-22 except that the Board may discuss including the matter on the agenda  
 7-23 for a subsequent meeting.

7-24           Sec. 35. (a) The Authority shall maintain a system to  
 7-25 promptly and efficiently act on complaints filed with the  
 7-26 Authority. The Authority shall maintain information about the  
 7-27 parties to and subject matter of the complaint, a summary of the  
 7-28 results of the review or investigation of the complaint, and the  
 7-29 disposition of the complaint.

7-30           (b) The Authority shall make information available  
 7-31 describing its procedures for complaint investigation and  
 7-32 resolution.

7-33           (c) The Authority shall periodically notify the complaint  
 7-34 parties of the status of the complaint until final disposition.

7-35           Sec. 36. (a) The state auditor shall conduct an audit of  
 7-36 the Authority to evaluate whether the Authority has addressed the  
 7-37 operational challenges identified in the report on the Authority by  
 7-38 the Sunset Advisory Commission presented to the 86th Legislature.

7-39           (b) The state auditor may not begin the audit required by  
 7-40 Subsection (a) of this section before December 1, 2021, and shall  
 7-41 prepare and submit a report of the findings of the audit to the  
 7-42 chairman and executive director of the Sunset Advisory Commission  
 7-43 not later than December 1, 2022.

7-44           (c) The state auditor shall include the auditor's duties  
 7-45 under this section in each audit plan under Section 321.013,  
 7-46 Government Code, that governs the auditor's duties for the period  
 7-47 specified by Subsection (b) of this section.

7-48           (d) This section expires January 1, 2023.

7-49           SECTION 11. Section 13, Chapter 279, Acts of the 56th  
 7-50 Legislature, Regular Session, 1959, is repealed.

7-51           SECTION 12. (a) The term of the president of the board of  
 7-52 directors of the Red River Authority serving on the effective date  
 7-53 of this Act expires September 1, 2019. The director serving as  
 7-54 president on the effective date of this Act may continue to serve on  
 7-55 the board of directors until the expiration of that director's  
 7-56 term.

7-57           (b) Not later than September 2, 2019, the governor shall  
 7-58 designate a director as president of the board of directors of the  
 7-59 Red River Authority as required by Section 7, Chapter 279, Acts of  
 7-60 the 56th Legislature, Regular Session, 1959, as amended by this  
 7-61 Act.

7-62           SECTION 13. (a) Notwithstanding Section 4b(a), Chapter 279,  
 7-63 Acts of the 56th Legislature, Regular Session, 1959, as added by  
 7-64 this Act, a person serving on the board of directors of the Red  
 7-65 River Authority may vote, deliberate, and be counted as a director  
 7-66 in attendance at a meeting of the board until December 1, 2019.

7-67           (b) This section expires January 1, 2020.

7-68           SECTION 14. (a) The legal notice of the intention to  
 7-69 introduce this Act, setting forth the general substance of this

8-1 Act, has been published as provided by law, and the notice and a  
8-2 copy of this Act have been furnished to all persons, agencies,  
8-3 officials, or entities to which they are required to be furnished  
8-4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-5 Government Code.

8-6 (b) The governor, one of the required recipients, has  
8-7 submitted the notice and Act to the Texas Commission on  
8-8 Environmental Quality.

8-9 (c) The Texas Commission on Environmental Quality has filed  
8-10 its recommendations relating to this Act with the governor, the  
8-11 lieutenant governor, and the speaker of the house of  
8-12 representatives within the required time.

8-13 (d) All requirements of the constitution and laws of this  
8-14 state and the rules and procedures of the legislature with respect  
8-15 to the notice, introduction, and passage of this Act are fulfilled  
8-16 and accomplished.

8-17 SECTION 15. This Act takes effect September 1, 2019.

8-18

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