

1-1 By: Sparks, et al. S.B. No. 2407  
1-2 (In the Senate - Filed March 25, 2025; March 27, 2025, read  
1-3 first time and referred to Committee on Local Government;  
1-4 April 1, 2025, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 1, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the Lower Neches Valley Authority, following  
1-18 recommendations of the Sunset Advisory Commission; specifying  
1-19 grounds for the removal of a member of the board of directors.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section [8504.0021](#)(a), Special District Local  
1-22 Laws Code, is amended to read as follows:

1-23 (a) The authority is subject to review under Chapter [325](#),  
1-24 Government Code (Texas Sunset Act), but may not be abolished under  
1-25 that chapter. The review shall be conducted under Section [325.025](#),  
1-26 Government Code, as if the authority were a state agency scheduled  
1-27 to be abolished September 1, [2037](#) [~~2025~~], and every 12th year after  
1-28 that year.

1-29 SECTION 2. Subchapter [B](#), Chapter [8504](#), Special District  
1-30 Local Laws Code, is amended by adding Sections [8504.0555](#), [8504.058](#),  
1-31 [8504.059](#), [8504.060](#), [8504.061](#), and [8504.062](#) to read as follows:

1-32 Sec. 8504.0555. BOARD PRESIDENT. The governor shall  
1-33 designate a member of the board as the board president to serve in  
1-34 that capacity at the pleasure of the governor.

1-35 Sec. 8504.058. SEPARATION OF POLICYMAKING AND MANAGEMENT  
1-36 FUNCTIONS. The board shall develop and implement policies that  
1-37 clearly separate the policy-making responsibilities of the board  
1-38 and the management responsibilities of the general manager and the  
1-39 staff of the authority.

1-40 Sec. 8504.059. REMOVAL. (a) It is a ground for removal  
1-41 from the board that a director:

1-42 (1) does not have at the time of taking office the  
1-43 qualifications required by Sections [8504.051](#)(b) and (c);

1-44 (2) does not maintain during service on the board  
1-45 qualifications required by Sections [8504.051](#)(b) and (c);

1-46 (3) violates Chapter [171](#), Local Government Code;

1-47 (4) cannot, because of illness or disability,  
1-48 discharge the director's duties for a substantial part of the  
1-49 director's term; or

1-50 (5) is absent from more than half of the regularly  
1-51 scheduled board meetings that the director is eligible to attend  
1-52 during a calendar year without an excuse approved by a majority vote  
1-53 of the board.

1-54 (b) The validity of an action of the board is not affected by  
1-55 the fact that it is taken when a ground for removal of a director  
1-56 exists.

1-57 (c) If the general manager has knowledge that a potential  
1-58 ground for removal exists, the general manager shall notify the  
1-59 board president of the potential ground. The board president shall  
1-60 then notify the governor and the attorney general that a potential  
1-61 ground for removal exists. If the potential ground for removal

2-1 involves the president, the general manager shall notify the next  
 2-2 highest ranking director, who shall then notify the governor and  
 2-3 the attorney general that a potential ground for removal exists.

2-4 Sec. 8504.060. REQUIRED TRAINING. (a) A person who is  
 2-5 appointed to and qualifies for office as a director may not vote,  
 2-6 deliberate, or be counted as a director in attendance at a meeting  
 2-7 of the board until the person completes a training program that  
 2-8 complies with this section.

2-9 (b) The training program must provide the person with  
 2-10 information regarding:

2-11 (1) the law governing authority operations;

2-12 (2) the programs, functions, rules, and budget of the  
 2-13 authority;

2-14 (3) the scope of and limitations on the rulemaking  
 2-15 authority of the board;

2-16 (4) the results of the most recent formal audit of the  
 2-17 authority;

2-18 (5) the requirements of:

2-19 (A) laws relating to open meetings, public  
 2-20 information, administrative procedure, and disclosing conflicts of  
 2-21 interest; and

2-22 (B) other laws applicable to members of the  
 2-23 governing body of a river authority in performing their duties; and

2-24 (6) any applicable ethics policies adopted by the  
 2-25 authority or by the Texas Ethics Commission.

2-26 (c) A person appointed to the board is entitled to  
 2-27 reimbursement for the travel expenses incurred in attending the  
 2-28 training program regardless of whether the attendance at the  
 2-29 program occurs before or after the person qualifies for office.

2-30 (d) The general manager of the authority shall create a  
 2-31 training manual that includes the information required by  
 2-32 Subsection (b). The general manager shall distribute a copy of the  
 2-33 training manual annually to each director. Each director shall  
 2-34 sign and submit to the general manager a statement acknowledging  
 2-35 that the director received and has reviewed the training manual.

2-36 Sec. 8504.061. PUBLIC TESTIMONY. The board shall develop  
 2-37 and implement policies that provide the public with a reasonable  
 2-38 opportunity to appear before the board and to speak on any issue  
 2-39 under the jurisdiction of the authority.

2-40 Sec. 8504.062. COMPLAINTS; DUTY TO RESPOND. (a) The  
 2-41 authority shall maintain a system to promptly and efficiently act  
 2-42 on complaints filed with the authority. The authority shall  
 2-43 maintain information about parties to the complaint, the subject  
 2-44 matter of the complaint, a summary of the results of the review or  
 2-45 investigation of the complaint, and its disposition.

2-46 (b) The authority shall make information available  
 2-47 describing its procedures for complaint investigation and  
 2-48 resolution.

2-49 (c) The authority shall periodically notify the complaint  
 2-50 parties of the status of the complaint until final disposition,  
 2-51 unless the notice would jeopardize an investigation.

2-52 SECTION 3. (a) Except as provided by Subsection (b) of this  
 2-53 section, Section 8504.060, Special District Local Laws Code, as  
 2-54 added by this Act, applies to a member of the board of directors of  
 2-55 the Lower Neches Valley Authority appointed before, on, or after  
 2-56 the effective date of this Act.

2-57 (b) Notwithstanding Section 8504.060, Special District  
 2-58 Local Laws Code, as added by this Act, a member of the board of  
 2-59 directors of the Lower Neches Valley Authority may vote,  
 2-60 deliberate, and be counted as a director in attendance at a meeting  
 2-61 of the board until December 1, 2025. A member of the board may not  
 2-62 vote, deliberate, or be counted as a member in attendance at a  
 2-63 meeting of the board held on or after December 1, 2025, until the  
 2-64 member completes the training required by that section.

2-65 SECTION 4. (a) The legal notice of the intention to  
 2-66 introduce this Act, setting forth the general substance of this  
 2-67 Act, has been published as provided by law, and the notice and a  
 2-68 copy of this Act have been furnished to all persons, agencies,  
 2-69 officials, or entities to which they are required to be furnished

3-1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3-2 Government Code.

3-3 (b) The governor, one of the required recipients, has  
3-4 submitted the notice and Act to the Texas Commission on  
3-5 Environmental Quality.

3-6 (c) The Texas Commission on Environmental Quality has filed  
3-7 its recommendations relating to this Act with the governor, the  
3-8 lieutenant governor, and the speaker of the house of  
3-9 representatives within the required time.

3-10 (d) All requirements of the constitution and laws of this  
3-11 state and the rules and procedures of the legislature with respect  
3-12 to the notice, introduction, and passage of this Act are fulfilled  
3-13 and accomplished.

3-14 SECTION 5. This Act takes effect September 1, 2025.

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