

Regular Session, 2012

SENATE BILL NO. 436

BY SENATOR LONG

WATER/WATERWAYS. Requires the Sabine River Authority to obtain approval for out of state water sales by the governing authorities of each parish in its territory. (8/1/12)

1 AN ACT

2 To amend and reenact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to  
3 provide for the powers and duties of the authority; to provide rules, conditions, and  
4 requirement for the sale, utilization, distribution, or consumption of water outside the  
5 state; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2325(A)(16) is hereby amended and reenacted to read as follows:

8 §2325. Powers

9 A. Said authority shall have the power:

10 \* \* \*

11 (16)(a) To enter into any and all contracts and other agreements with any  
12 person, real or artificial, any public or private entity, any government or  
13 governmental agency, including the United States of America, the state of Texas, the  
14 Sabine River Authority of Texas, the state of Louisiana, and the agencies, bureaus,  
15 departments, and political subdivisions thereof, which contracts and other  
16 agreements may provide for the sale, conservation, storage, utilization, preservation,  
17 distribution, or consumption, whether within or without the state of Louisiana, of the

1 waters over which the ~~A~~authority has jurisdiction or over which the ~~A~~authority has  
2 legal control;

3 ~~(b) however, the~~ **The** written concurrence of the governor shall be required  
4 for any contracts and other agreements which provide for the sale, utilization,  
5 distribution, or consumption, outside of the boundaries of the state of Louisiana, of  
6 the waters over which the Authority has jurisdiction or control.

7 **(c) The written concurrence, by resolution and two-thirds vote, of the**  
8 **local governing authority of each parish in the territory of the Sabine River**  
9 **Authority shall be required for any contracts and other agreements which**  
10 **provide for the sale, utilization, distribution, or consumption, outside of the**  
11 **boundaries of the state of Louisiana, of the waters over which the authority has**  
12 **jurisdiction or control. In addition, at least two-thirds of all the local governing**  
13 **authorities in the territory of the Sabine River Authority shall concur before the**  
14 **authority can enter into any such contract or other agreements.**

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by McHenry Lee.

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#### DIGEST

Present law authorizes the Sabine River Authority to enter into contracts which provide for the sale, utilization, distribution, or consumption of water outside the boundaries of the state and requires the written consent of the governor for such contracts.

Proposed law retains present law but also requires the written concurrence by two-thirds vote of the local governing authority of each parish in the territory of the authority and the concurrence of at least two-thirds of all the local governing authorities in the territory of the Sabine River Authority.

Effective August 1, 2012.

(Amends R.S. 38:2325(A)(16))