

Amend **SB 1265** on third reading by amending Amendment No. 6 by Deshotel, adopted on second reading, by striking item #2 of the amendment and substituting:

(2) In added Section 7.203(c), Water Code, on page 2, at the end of line 13, add "If the commission does not make a determination within the 45-day period required by this subsection:

(1) the appropriate prosecuting attorney may bring an action for criminal prosecution; and

(2) notwithstanding Subsection (e), the commission or the state is not entitled to receive any part of an amount recovered through a prosecution brought by that prosecuting attorney.