

By: Christian

H.B. No. 1410

A BILL TO BE ENTITLED

AN ACT

relating to a penalty assessed against a small county for a violation of an environmental law or regulation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 7, Water Code, is amended by adding Section 7.006 to read as follows:

Sec. 7.006. ENFORCEMENT ACTION AGAINST SMALL COUNTY. The commission or other state agency authorized to assess a penalty under this chapter may not assess an administrative, civil, or criminal penalty against a county with a population of less than 75,000 for a violation under the agency's jurisdiction if the county:

(1) has previously been assessed a penalty for the violation; and

(2) submits proof satisfactory to the agency that the county is making progress in correcting the violation.

SECTION 2. This Act takes effect September 1, 2003, and applies only to a violation committed by a small county on or after that date. A violation committed before the effective date of this Act is covered by the law in effect on the date the violation is committed, and the former law is continued in effect for that purpose.