

By: Madden

H.B. No. 2529

A BILL TO BE ENTITLED

1 AN ACT

2 relating to providing a grace period for enforcement actions
3 against a small water supply, sewer, wastewater treatment, or solid
4 waste disposal service being integrated into a regional service.

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

6 SECTION 1. Subchapter A, Chapter 7, Water Code, is amended
7 by adding Section 7.0026 to read as follows:

8 Sec. 7.0026. SUSPENSION OF ENFORCEMENT ACTION AGAINST
9 CERTAIN REGIONAL WATER, SEWER, OR SOLID WASTE SERVICES. If a water
10 supply, sewer, wastewater treatment, or solid waste disposal
11 service operated by or for a municipality or county is being
12 integrated into a regional water supply, sewer, wastewater
13 treatment, or solid waste disposal service, the commission may not
14 initiate an enforcement action against the service being integrated
15 unless:

16 (1) the commission has allowed the regional service 36
17 months from the date on which the regional service first assumed any
18 duty of or control over the integrating service to bring the
19 integrating service into compliance; and

20 (2) the regional service fails to bring the
21 integrating service into compliance within that time.

22 SECTION 2. (a) This Act takes effect immediately if it
23 receives a vote of two-thirds of all the members elected to each
24 house, as provided by Section 39, Article III, Texas Constitution.

1 If this Act does not receive the vote necessary for immediate
2 effect, this Act takes effect September 1, 2003.

3 (b) Section 7.0026, Water Code, as added by this Act,
4 applies only to an offense that is committed or a violation that
5 occurs on or after the effective date of this Act. For purposes of
6 this section, an offense is committed and a violation occurs before
7 the effective date of this Act if any element of the offense or
8 violation occurs before that date. An offense committed or a
9 violation that occurs before the effective date is governed by the
10 law in effect when the offense was committed or the violation
11 occurred, and the former law is continued in effect for that
12 purpose.