

1-1 By: Madden (Senate Sponsor - Estes) H.B. No. 2529  
1-2 (In the Senate - Received from the House May 12, 2003;  
1-3 May 13, 2003, read first time and referred to Committee on Natural  
1-4 Resources; May 19, 2003, reported favorably by the following vote:  
1-5 Yeas 10, Nays 0; May 19, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to providing a grace period for enforcement actions  
1-9 against a small water supply, sewer, wastewater treatment, or solid  
1-10 waste disposal service being integrated into a regional service.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 7, Water Code, is amended  
1-13 by adding Section 7.0026 to read as follows:

1-14 Sec. 7.0026. SUSPENSION OF ENFORCEMENT ACTION AGAINST  
1-15 CERTAIN REGIONAL WATER, SEWER, OR SOLID WASTE SERVICES. If a water  
1-16 supply, sewer, wastewater treatment, or solid waste disposal  
1-17 service operated by or for a municipality or county is being  
1-18 integrated into a regional water supply, sewer, wastewater  
1-19 treatment, or solid waste disposal service, the commission may not  
1-20 initiate an enforcement action against the service being integrated  
1-21 unless:

1-22 (1) the commission has allowed the regional service 36  
1-23 months from the date on which the regional service first assumed any  
1-24 duty of or control over the integrating service to bring the  
1-25 integrating service into compliance; and

1-26 (2) the regional service fails to bring the  
1-27 integrating service into compliance within that time.

1-28 SECTION 2. (a) This Act takes effect immediately if it  
1-29 receives a vote of two-thirds of all the members elected to each  
1-30 house, as provided by Section 39, Article III, Texas Constitution.  
1-31 If this Act does not receive the vote necessary for immediate  
1-32 effect, this Act takes effect September 1, 2003.

1-33 (b) Section 7.0026, Water Code, as added by this Act,  
1-34 applies only to an offense that is committed or a violation that  
1-35 occurs on or after the effective date of this Act. For purposes of  
1-36 this section, an offense is committed and a violation occurs before  
1-37 the effective date of this Act if any element of the offense or  
1-38 violation occurs before that date. An offense committed or a  
1-39 violation that occurs before the effective date is governed by the  
1-40 law in effect when the offense was committed or the violation  
1-41 occurred, and the former law is continued in effect for that  
1-42 purpose.

1-43 \* \* \* \* \*