

## **BILL ANALYSIS**

Senate Research Center

S.B. 797  
By: Janek  
Natural Resources  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows city ordinances to self-validate after two years if they are not the subject to a court challenge; navigation districts and port authorities are not authorized to similarly validate their acts after such time has passed.

As proposed, S.B. 797 authorizes navigation districts and port authorities to self-validate, under certain circumstances, after two years.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D Chapter 60, Water Code, by adding Section 60.080, as follows:

Sec. 60.080. PORT COMMISSION ACT OR PROCEEDING PRESUMED VALID.  
(a) Defines "district."

(b) Provides that an act or proceeding of a district or its port commission or board of directors or another governing body of the district is conclusively presumed to be valid, as of the date it occurred, and to have occurred in accordance with all applicable statutes and ordinances if the second anniversary of the effective date of the act or proceeding has expired, and a lawsuit to annul or invalidate the act or proceeding has not been filed on or before the second anniversary.

(c) Provides that this section does not apply to certain acts or proceedings, or to a matter that on the effective date of this section is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court or has been held invalid by a final judgment of a court.

SECTION 2. Effective date: September 1, 2007.