

By: Bonnen

H.B. No. 3780

A BILL TO BE ENTITLED

AN ACT

1
2 relating to initiation of enforcement by the Texas Commission on
3 Environmental Quality for violations based on information received
4 from a private individual.

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

6 SECTION 1. Section 7.0025, Water Code, is amended by adding
7 subsection (e) to read as follows:

8 Sec. 7.0025. (e) If the commission determines that there
9 are multiple violations based on information it receives from a
10 private individual, only those that require initiation of formal
11 enforcement will be included in any proposed enforcement action.
12 For all other violations that do not require initiation of formal
13 enforcement, the commission shall not include in the enforcement
14 action the following:

15 (1) violations that are not repeat violations from two
16 consecutive investigations within the most recent five-year
17 period; and

18 (2) violations that have been corrected within the
19 timeframe specified by the commission.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.