

By: Averitt

S.B. No. 1674

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of groundwater regulations.

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

SECTION 1. Subchapter A, Chapter 36, Water Code, is amended by adding Section 36.003 to read as follows:

Sec. 36.003. APPLICABILITY OF GROUNDWATER REGULATIONS. All persons, entities, and political subdivisions of the state are subject to groundwater regulation under this chapter, except as exempted under Section 36.117.

SECTION 2. Section 36.102, Water Code, is amended by adding Subsection (e) to read as follows:

(e) Sovereign immunity to suit is waived for all political subdivisions of the state for the purpose of enforcement of this chapter and district rules.

SECTION 3. The legislature finds that a political subdivision was subject to groundwater regulation under this chapter prior to the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.