

By: Hartnett

H.B. No. 1174

A BILL TO BE ENTITLED

AN ACT

1
2 relating to payment by a municipality for certain damages arising
3 from the municipality's operation of its sanitary sewer system.

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

5 SECTION 1. Subchapter Z, Chapter 402, Local Government
6 Code, is amended by adding Section 402.912 to read as follows:

7 Sec. 402.912. DAMAGES ARISING FROM SEWAGE BACKUP. A
8 municipality may pay damages arising from the backup of the
9 municipality's sanitary sewer system regardless of whether the
10 municipality would be liable for the damages under Chapter 101,
11 Civil Practice and Remedies Code.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2009.