

1-1 By: Turner of Harris (Senate Sponsor - Hegar) H.B. No. 4218  
1-2 (In the Senate - Received from the House May 18, 2009;  
1-3 May 19, 2009, read first time and referred to Committee on Natural  
1-4 Resources; May 23, 2009, reported favorably by the following vote:  
1-5 Yeas 9, Nays 0; May 23, 2009, sent to printer.)

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

1-8 relating to representation in a court proceeding involving a retail  
1-9 public utility providing water or sewer service.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 13.042, Water Code, is amended by adding  
1-12 Subsection (a-1) to read as follows:

1-13 (a-1) If a municipality exercises its jurisdiction under  
1-14 Subsection (a), the municipal attorney or other appropriate  
1-15 attorney representing the municipality shall represent the  
1-16 municipality under this chapter in all matters before the state  
1-17 courts and any court of the United States.

1-18 SECTION 2. The changes in law made by this Act to Section  
1-19 13.042, Water Code, apply only to a court proceeding that commences  
1-20 on or after the effective date of this Act. A court proceeding that  
1-21 commences before the effective date of this Act is subject to the  
1-22 law in effect on the date the proceeding was commenced, and that law  
1-23 is continued in effect for that purpose.

1-24 SECTION 3. This Act takes effect September 1, 2009.

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