

By: Gonzalez Toureilles

H.B. No. 4283

Substitute the following for H.B. No. 4283:

By: Callegari

C.S.H.B. No. 4283

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal with prejudice of certain applications for single certification in an incorporated or annexed area.

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

SECTION 1. Section 13.255, Water Code, is amended by adding Subsection (n) to read as follows:

(n) The commission may not issue an order dismissing a municipality's application under this section with prejudice if the municipality:

(1) has a population of more than 3,000;

(2) is the county seat of a county with a population of less than 20,000; and

(3) is located in the river basin of the San Antonio River.

SECTION 2. An order issued by the Texas Commission on Environmental Quality before the effective date of this Act dismissing with prejudice an application filed under Section 13.255, Water Code, by a municipality described by Section 13.255(n), Water Code, as added by this Act, is void.

SECTION 3. 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, 2009.