

By: Zerwas

H.B. No. 4791

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the North Fort Bend Water Authority.

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

SECTION 1. Section 8813.007, Special District Local Laws Code, is amended by adding Subsection (c) to read as follows:

(c) Chapter 36, Water Code, does not apply to the authority.

SECTION 2. Subchapter C, Chapter 8813, Special District Local Laws Code, is amended by adding Section 8813.120 to read as follows:

Sec. 8813.120. ACTION AGAINST PERSON, DISTRICT, OR POLITICAL SUBDIVISION. (a) The authority may bring an action in a district court against a person, including a district or other political subdivision located in the authority's territory or included in the authority's groundwater reduction plan, to:

(1) recover any fees, rates, charges, assessments, collection expenses, attorney's fees, interest, penalties, or administrative penalties due the authority; or

(2) enforce the authority's rules or orders.

(b) Governmental immunity from suit or liability of a district or other political subdivision is waived for the purposes of an action under this section.

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

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.