

By: Callegari

H.B. No. 4792

Substitute the following for H.B. No. 4792:

By: Corte

C.S.H.B. No. 4792

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the West Harris County Regional Water Authority.

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

SECTION 1. Section 4.01(d), Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(d) The following laws [~~Sections 49.451-49.455, Water Code,~~] do not apply to the authority:

(1) Chapter 36, Water Code;

(2) Section 49.052, Water Code; and

(3) Sections 49.451-49.455, Water Code.

SECTION 2. The heading to Section 4.07, Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 4.07. CIVIL PENALTY; CIVIL ACTIONS; INJUNCTION.

SECTION 3. Section 4.07, Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subsections (b-1) and (e) to read as follows:

(b-1) The authority may bring an action in a district court against a district, other political subdivision, or other person 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

1 administrative penalties due the authority; or

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

3 (e) Governmental immunity from suit or liability of a
4 district or other political subdivision is waived for the purposes
5 of an action described by Subsection (b-1) of this section.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.