

By: Callegari

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 4.03, Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subsection (k) to read as follows:

(k) The authority may bring an action to recover from a district, other local government, or other person included in the authority's jurisdiction or groundwater reduction plan any fees, charges, assessments, collection expenses, attorney's fees, interest, or civil or other penalties due the authority or any amount spent by the authority to enforce the authority's rules or orders. With respect to a district or other local government, sovereign and governmental immunity from suit and liability is waived for the purpose of adjudicating an action described by this subsection.

SECTION 2. Section 1.08, Chapter 414, Acts of the 77th Legislature, Regular Session, 2001, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) This Act does not prevail over or preempt a provision of Chapter 8801, Special District Local Laws Code, Chapter 1045, Acts of the 71st Legislature, Regular Session, 1989 [~~Chapter 151, Water Code~~], or Chapter 36, Water Code, that is being implemented by a

1 [~~the~~] subsidence district.

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

3 SECTION 3. (a) The legal notice of the intention to
4 introduce this Act, setting forth the general substance of this
5 Act, has been published as provided by law, and the notice and a
6 copy of this Act have been furnished to all persons, agencies,
7 officials, or entities to which they are required to be furnished
8 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9 Government Code.

10 (b) The governor, one of the required recipients, has
11 submitted the notice and Act to the Texas Commission on
12 Environmental Quality.

13 (c) The Texas Commission on Environmental Quality has filed
14 its recommendations relating to this Act with the governor, the
15 lieutenant governor, and the speaker of the house of
16 representatives within the required time.

17 (d) All requirements of the constitution and laws of this
18 state and the rules and procedures of the legislature with respect
19 to the notice, introduction, and passage of this Act are fulfilled
20 and accomplished.

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