

1-1 By: Patrick S.B. No. 2536
1-2 (In the Senate - Filed April 17, 2009; April 20, 2009, read
1-3 first time and referred to Committee on Natural Resources;
1-4 May 8, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 8, 2009, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2536 By: Eltife

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the powers of the West Harris County Regional Water
1-11 Authority.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (d), Section 4.01, Chapter 414, Acts
1-14 of the 77th Legislature, Regular Session, 2001, is amended to read
1-15 as follows:

1-16 (d) The following laws [Sections 49.451-49.455, Water
1-17 Code,] do not apply to the authority:

1-18 (1) Chapter 36, Water Code;

1-19 (2) Section 49.052, Water Code; and

1-20 (3) Sections 49.451-49.455, Water Code.

1-21 SECTION 2. The heading to Section 4.07, Chapter 414, Acts of
1-22 the 77th Legislature, Regular Session, 2001, is amended to read as
1-23 follows:

1-24 Sec. 4.07. CIVIL PENALTY; CIVIL ACTIONS; INJUNCTION.

1-25 SECTION 3. Section 4.07, Chapter 414, Acts of the 77th
1-26 Legislature, Regular Session, 2001, is amended by adding
1-27 Subsections (b-1) and (e) to read as follows:

1-28 (b-1) The authority may bring an action in a district court
1-29 against a district, other political subdivision, or other person
1-30 located in the authority's territory or included in the authority's
1-31 groundwater reduction plan to:

1-32 (1) recover any fees, rates, charges, assessments,
1-33 collection expenses, attorney's fees, interest, penalties, or
1-34 administrative penalties due the authority; or

1-35 (2) enforce the authority's rules or orders.

1-36 (e) Governmental immunity from suit or liability of a
1-37 district or other political subdivision is waived for the purposes
1-38 of an action described by Subsection (b-1) of this section.

1-39 SECTION 4. This Act takes effect immediately if it receives
1-40 a vote of two-thirds of all the members elected to each house, as
1-41 provided by Section 39, Article III, Texas Constitution. If this
1-42 Act does not receive the vote necessary for immediate effect, this
1-43 Act takes effect September 1, 2009.

1-44 * * * * *