

BILL ANALYSIS

H.B. 960
By: Turner
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As part of its function, the Central Harris County Regional Water Authority charges surface water and groundwater pumpage fees to public and private entities within its boundaries. The authority does not have taxing authority, and these fees help finance the water infrastructure needed to implement the surface water conversion requirements of the Harris-Galveston Subsidence District.

H.B. 960 seeks to ensure that districts and political subdivisions pay applicable fees by waiving the governmental immunity of such entities from suit or liability for the purposes of an action by the authority. The bill also intends to clarify that certain provisions of law relating to groundwater conservation districts and water districts with taxing authority are inapplicable to the authority, which is not a groundwater district and does not have taxing authority.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 960 amends the Special District Local Laws Code to make inapplicable to the Central Harris County Regional Water Authority standard statutory provisions relating to groundwater conservation districts and statutory provisions relating to the disqualification of a director of a water district. The bill replaces a provision authorizing the authority to bring an action to recover an administrative penalty for violation of a rule or order of the authority in a district court in the county where the violation occurred with a provision authorizing the authority to bring an action in a district court against a member district or other district, other political subdivision, or other person located in the authority's territory or included in the authority's groundwater reduction plan to enforce the authority's rules or orders or recover any fees, rates, charges, assessments, collection expenses, attorney's fees, interest, penalties, or administrative penalties due the authority. The bill waives a district's or other political subdivision's governmental immunity from suit or liability for the purposes of an action by the authority relating to an injunction to enforce the authority's rules or orders or the recovery of certain amounts due the authority. The bill makes a conforming change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.