

BILL ANALYSIS

H.B. 2007
By: Shelton
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Benbrook Water Authority is unable to pay for private property damages that are the result of a backup of the authority's sanitary sewer system. The authority wants the statutory ability to pay for such damages regardless of whether it would be held liable for the damages. H.B. 2007 authorizes the authority to pay actual property damages caused by the backup of the authority's sanitary sewer system without waiving governmental immunity from suit or liability.

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. 2007 amends Chapter 123, Acts of the 54th Legislature, Regular Session, 1955, to authorize the Benbrook Water Authority to pay actual property damages caused by the backup of the authority's sanitary sewer system regardless of whether the authority would be liable for the damages under the Texas Tort Claims Act. The bill establishes that such authorization does not waive governmental immunity from suit or liability. The bill makes its provisions applicable only to damages caused by the backup of a sanitary sewer system on or after September 1, 2011.

EFFECTIVE DATE

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