

1-1 By: Shelton (Senate Sponsor - Davis) H.B. No. 2007
1-2 (In the Senate - Received from the House April 11, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 13, 2011, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 13, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to payment by the Benbrook Water Authority for certain
1-9 damages caused by the authority's operation of a sanitary sewer
1-10 system.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 123, Acts of the 54th Legislature,
1-13 Regular Session, 1955, is amended by adding Section 5A to read as
1-14 follows:

1-15 Sec. 5A. CERTAIN DAMAGES CAUSED BY SEWAGE BACKUP. (a) The
1-16 Authority may pay actual property damages caused by the backup of
1-17 the Authority's sanitary sewer system regardless of whether the
1-18 Authority would be liable for the damages under Chapter 101, Civil
1-19 Practice and Remedies Code.

1-20 (b) This section does not waive governmental immunity from
1-21 suit or liability.

1-22 SECTION 2. Section 5A, Chapter 123, Acts of the 54th
1-23 Legislature, Regular Session, 1955, as added by this Act, applies
1-24 only to damages caused by the backup of a sanitary sewer system on
1-25 or after September 1, 2011.

1-26 SECTION 3. This Act takes effect immediately if it receives
1-27 a vote of two-thirds of all the members elected to each house, as
1-28 provided by Section 39, Article III, Texas Constitution. If this
1-29 Act does not receive the vote necessary for immediate effect, this
1-30 Act takes effect September 1, 2011.

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