

By: Miles

H.B. No. 2668

A BILL TO BE ENTITLED

AN ACT

relating to administrative penalties imposed by the Texas Commission on Environmental Quality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 7.052(a) and (c), Water Code, are amended to read as follows:

(a) The amount of the penalty for a violation of Chapter 37 of this code, Chapter 366, 371, or 372, Health and Safety Code, or Chapter 1903, Occupations Code, may not be less than \$50 or greater than \$5,000 [~~exceed \$2,500~~] a day for each violation.

(c) The amount of the penalty for all other violations within the jurisdiction of the commission to enforce may not be less than \$50 or greater than \$25,000 [~~exceed \$10,000~~] a day for each violation.

SECTION 2. Section 13.4151(a), Water Code, is amended to read as follows:

(a) If a person, affiliated interest, or entity subject to the jurisdiction of the commission violates this chapter or a rule or order adopted under this chapter, the commission may assess a penalty against that person, affiliated interest, or entity as provided by this section. The penalty may be in an amount not less than \$100 or greater than \$5,000 [~~to exceed \$500~~] a day. Each day a violation continues may be considered a separate violation.

SECTION 3. The changes in law made by this Act apply only to

1 a violation that occurs on or after the effective date of this Act.
2 A violation that occurs before the effective date of this Act is
3 covered by the law in effect at the time the violation occurred, and
4 the former law is continued in effect for that purpose.

5 SECTION 4. This Act takes effect September 1, 2011.