

BILL ANALYSIS

Senate Research Center
83R18694 TJB-F

H.B. 3511
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Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently there is no remedy if a local governmental entity breaches a contract regarding the sale or delivery of reclaimed water intended for industrial use. H.B. 3511 allows for adjudication of a claim for breach of contract by a local governmental entity regarding the sale or delivery of reclaimed water intended for industrial use.

H.B. 3511 amends current law relating to the adjudication of claims arising under certain written contracts with local governmental entities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 271.151(2), Local Government Code, as follows:

(2) Redefines “contract subject to this subchapter” to mean:

(A) Creates this paragraph from existing text and makes nonsubstantive changes;
or

(B) a written contract, including a right of first refusal, regarding the sale or delivery of not less than 1,000 acre-feet of reclaimed water by a local governmental entity intended for industrial use.

SECTION 2. Amends Section 271.153, Local Government Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that, except as provided by Subsection (c), the total amount of money awarded in an adjudication brought against a local governmental entity for breach of a contract subject to this subchapter is limited to certain fees and compensations.

(c) Authorizes actual damages, specific performance, or injunctive relief to be granted in an adjudication brought against a local governmental entity for breach of a contract described by Section 271.151(2)(B).

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2013.