

Amend CSHB 1794 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 7.107, Water Code, is amended to read as follows:

Sec. 7.107. DIVISION OF CIVIL PENALTY. Except in a suit brought for a violation of Chapter 28 of this code or of Chapter 401, Health and Safety Code, a civil penalty recovered in a suit brought under this subchapter by a local government shall be [~~equally~~] divided as follows [~~between~~]:

(1) the first \$4.3 million of the amount recovered shall be divided equally between:

(A) the state; and

(B) [~~(2)~~] the local government that brought the suit; and

(2) any amount recovered in excess of \$4.3 million shall be awarded to the state.

(2) On page 1, line 9, strike "In" and substitute "Except as provided by Subsection (b), in".

(3) On page 1, line 12, strike "total".