

AN ACT

relating to civil suits filed against board members of a groundwater conservation district and the liability of a member for certain actions taken by the board.

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

SECTION 1. Section 36.060, Water Code, is amended by adding Subsection (e) to read as follows:

(e) For liability purposes only, a director is considered a district employee under Chapter 101, Civil Practice and Remedies Code, even if the director does not receive fees of office voluntarily, by district policy, or through a statutory exception to this section.

SECTION 2. Section 36.066(a), Water Code, is amended to read as follows:

(a) A district may sue and be sued in the courts of this state in the name of the district by and through its board. A district board member is immune from suit and immune from liability for official votes and official actions. To the extent an official vote or official action conforms to laws relating to conflicts of interest, abuse of office, or constitutional obligations, this subsection provides immunity for those actions. All courts shall take judicial notice of the creation of the district and of its boundaries.

SECTION 3. This Act takes effect immediately if it receives

H.B. No. 3163

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 3163 was passed by the House on May 15, 2015, by the following vote: Yeas 119, Nays 5, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3163 on May 29, 2015, by the following vote: Yeas 141, Nays 4, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3163 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor