

By: Cyrier

H.B. No. 3163

Substitute the following for H.B. No. 3163:

By: Frank

C.S.H.B. No. 3163

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

15 (a) A district may sue and be sued in the courts of this
16 state in the name of the district by and through its board. A
17 district board member is immune from suit and immune from liability
18 for official votes and official actions. All courts shall take
19 judicial notice of the creation of the district and of its
20 boundaries.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2015.