86R10660 JRR-F

By:  Leach H.B. No. 3981

A BILL TO BE ENTITLED

AN ACT

relating to civil suits brought by local governments for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.

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

SECTION 1.  Subchapter H, Chapter 7, Water Code, is amended by adding Sections 7.361 and 7.362 to read as follows:

Sec. 7.361.  SETTLEMENT AUTHORITY. The attorney general may settle in full satisfaction of the claims asserted a civil suit brought by a local government under this subchapter without the consent or approval of the local government:

(1)  for an amount that is consistent with the policies of the state; or

(2)  at the direction of the commission.

Sec. 7.362.  PROHIBITION ON CERTAIN CONTINGENT FEE CONTRACTS. A local government that is a public agency as defined by Section 30.003 may not enter into a contingent fee contract as defined by Section 2254.101, Government Code, for legal services associated with a civil suit brought under this subchapter.

SECTION 2.  The change in law made by this Act applies only to a civil suit under Subchapter H, Chapter 7, Water Code, that is filed on or after the effective date of this Act. A civil suit filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.