

By: Wray

H.B. No. 1267

A BILL TO BE ENTITLED

AN ACT

1
2 relating to civil and administrative penalties assessed or imposed
3 for violations of laws protecting drinking water, public water
4 supplies, and bodies of water.

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

6 SECTION 1. Section 341.048(b), Health and Safety Code, is
7 amended to read as follows:

8 (b) A person who causes, suffers, allows, or permits a
9 violation under this subchapter shall be assessed a civil penalty
10 of not less than \$50 and not [~~nor~~] more than \$5,000 [~~\$1,000~~] for
11 each violation. Each day of a continuing violation is a separate
12 violation.

13 SECTION 2. Section 341.049(a), Health and Safety Code, is
14 amended to read as follows:

15 (a) If a person causes, suffers, allows, or permits a
16 violation of this subchapter or a rule or order adopted under this
17 subchapter, the commission may assess a penalty against that person
18 as provided by this section. The penalty shall not be less than \$50
19 and not [~~nor~~] more than \$5,000 [~~\$1,000~~] for each violation. Each
20 day of a continuing violation may be considered a separate
21 violation.

22 SECTION 3. (a) Section 341.048(b), Health and Safety Code,
23 as amended by this Act, applies to an action brought on or after the
24 effective date of this Act, regardless of whether the violation

1 giving rise to that action occurred on, before, or after that date.

2 (b) Section 341.049(a), Health and Safety Code, as amended
3 by this Act, applies only to a violation that occurs on or after the
4 effective date of this Act. A violation that occurs before the
5 effective date of this Act is governed by the law in effect on the
6 date the violation was committed, and the former law is continued in
7 effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2019.