

By: Birdwell
(Wray)

S.B. No. 530

A BILL TO BE ENTITLED

AN ACT

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

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

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

(b) A person who causes, suffers, allows, or permits a violation under this subchapter shall be assessed a civil penalty of not less than \$50 and not ~~[not]~~ more than \$5,000 ~~[\$1,000]~~ for each violation. Each day of a continuing violation is a separate violation.

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

(a) If a person causes, suffers, allows, or permits a violation of this subchapter or a rule or order adopted under this subchapter, the commission may assess a penalty against that person as provided by this section. The penalty shall not be less than \$50 and not ~~[not]~~ more than \$5,000 ~~[\$1,000]~~ for each violation. Each day of a continuing violation may be considered a separate violation.

SECTION 3. (a) Section 341.048(b), Health and Safety Code, as amended by this Act, applies to an action brought on or after the 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.