

Amend SB 1265 as follows:

(1) In added Section 7.203(c), Water Code, on page 2, line 7, strike "60th day" and substitute "45th day".

(2) In added Section 7.203(c), Water Code, on page 2, at the end of line 13, add "If the commission does not make a determination within the 45-day period required by this subsection:

(1) the peace officer may refer the matter to the appropriate prosecuting attorney for criminal prosecution; and

(2) notwithstanding Subsection (e), the commission or the state is not entitled to receive any part of an amount recovered through a prosecution brought by that prosecuting attorney.