

1-1 By: Cyrier, Isaac (Senate Sponsor - Watson) H.B. No. 3163
1-2 (In the Senate - Received from the House May 18, 2015;
1-3 May 18, 2015, read first time and referred to Committee on State
1-4 Affairs; May 24, 2015, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 24, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Ellis	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Fraser	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3163 By: Ellis

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to civil suits filed against board members of a
1-22 groundwater conservation district and the liability of a member for
1-23 certain actions taken by the board.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 36.060, Water Code, is amended by adding
1-26 Subsection (e) to read as follows:

1-27 (e) For liability purposes only, a director is considered a
1-28 district employee under Chapter 101, Civil Practice and Remedies
1-29 Code, even if the director does not receive fees of office
1-30 voluntarily, by district policy, or through a statutory exception
1-31 to this section.

1-32 SECTION 2. Section 36.066(a), Water Code, is amended to
1-33 read as follows:

1-34 (a) A district may sue and be sued in the courts of this
1-35 state in the name of the district by and through its board. A
1-36 district board member is immune from suit and immune from liability
1-37 for official votes and official actions. To the extent an official
1-38 vote or official action conforms to laws relating to conflicts of
1-39 interest, abuse of office, or constitutional obligations, this
1-40 subsection provides immunity for those actions. All courts shall
1-41 take judicial notice of the creation of the district and of its
1-42 boundaries.

1-43 SECTION 3. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2015.

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