

By: Cyrier

H.B. No. 3163

A BILL TO BE ENTITLED

AN ACT

relating to filing suit against board members of groundwater conservation districts.

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

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

(a) A district may sue and be sued in the courts of this state in the name of the district by and through its board. A district board member acting in his individual capacity is immune from suit and liability for actions taken on behalf of the board. All courts shall take judicial notice of the creation of the district and of its boundaries.

SECTION 2. Section 36.066, Water Code, is amended by adding a new Subsection (h) to read as follows:

(h) An attempt to bring suit against an individual district board member for actions taken on behalf of the board or for an official vote shall constitute coercion of a public official as defined in Texas Penal Code Section 36.03(1)

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