

By: Cyrier

H. B. No. 3163

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 (a) A district may sue and be sued in the courts of this
8 state in the name of the district by and through its board. A
9 district board member acting in his individual capacity is immune
10 from suit and liability for actions taken on behalf of the board.

11 All courts shall take judicial notice of the creation of the
12 district and of its boundaries.

13 SECTION 2. Section 36.066, Water Code, is amended by adding
14 a new Subsection (h) to read as follows:
15 (h) An attempt to bring suit against an individual district
16 board member for actions taken on behalf of the board or for an
17 official vote shall constitute coercion of a public official as
18 defined in Texas Penal Code Section 36.03(1)

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