

BILL ANALYSIS

Senate Research Center
81R35463 AJA-D

C.S.H.B. 1174
By: Hartnett (Watson)
Intergovernmental Relations
5/21/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.H.B. 1174 amends current law relating to payment by a municipality or river authority for certain damages caused by the municipality's or river authority's operation of a sanitary sewer system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 552, Local Government Code, by adding Section 552.912, as follows:

Sec. 552.912. CERTAIN DAMAGES CAUSED BY SEWAGE BACKUP. (a) Authorizes a municipality or river authority to pay actual property damages caused by the backup of the municipality's or river authority's sanitary sewer system regardless of whether the municipality or river authority would be liable for the damages under Chapter 101 (Tort Claims), Civil Practice and Remedies Code.

(b) Provides that this section does not waive governmental immunity from suit or liability.

SECTION 2. Provides that Section 552.912, Local Governmental Code, as added by this Act, applies to damages caused by the backup of a sanitary sewer system on or after March 1, 2007.

SECTION 3. Effective date: upon passage or September 1, 2009.