By Murray

H. B. No. 1112

A BILL TO BE ENTITLED

AN ACT

prescribing civil penalties of not to exceed one hundred dollars per day for any wilful violation of any rule, regulation or order promulgated by the Texas Water Rights Commission which are not in conflict with this chapter and any term or condition contained in declarations of appropriation and permits heretofore or hereafter granted by the Commission which are not in conflict with this chapter; amending Article 7531, Vernon's Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

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

Section 1. Article 7531, Vernon's Civil Statutes of Texas, 1925, is amended to read as follows:

"Article 7531. Rules

Section 1. The Texas Water Rights Commission shall adopt reasonable rules and regulations, including modes of procedure, not in conflict with this chapter, for the performance of the duties, powers and functions prescribed and vested in it by this chapter, and for the enforcement of its provisions, and shall have a seal, the form of which it shall prescribe. All such rules and regulations made for the administration of this chapter shall be binding upon all persons affected by such provisions. The rules and regulations shall be printed, and copies shall be furnished to all interested persons upon application therefor, provided, that the Commission, at its discretion, may make a reasonable charge therefor. No amendment of an existing rule or no new rule is effective until at least 30 days have expired since the date a copy of the new or amended rule was filed with the secretary of state.

Section 2. Full authority is hereby given the Commission to enforce by injunction, mandatory injunction or other appropriate remedy, in the courts of competent jurisdiction, any and all reasonable rules and regulations promulgated by it, which are not in conflict with this chapter, and all of the terms and conditions, which are not in conflict with this chapter, contained in declarations of appropriations (certified filings) and in permits to appropriate water heretofore granted and which may hereafter be granted by it, under authority of law.

Section 3. Any person, association of persons, corporation, water improvement or irrigation district, or any agent, officer, employee or representative of any such persons, association of persons, corporation, water improvement or irrigation district, who shall wilfully violate any of the rules, regulations or orders promulgated by the Commission, which are not in conflict with this chapter, and any of the terms and conditions, which are not in conflict with this chapter, contained in declarations of appropriations (certified filings) and permits to appropriate water heretofore granted and which may hereafter be granted by the Commission, under authority of law, shall be liable to a civil penalty of not to exceed one hundred dollars per day for each and every day that such violation may occur.

Section 2. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

H.B. 1142 By Murray

A BILL TO BE ENTITLED

AN ACT

prescribing civil penalties of not to exceed one hundred dollars per day for any wilful violation of any rule, regulation or order promulgated by the Texas Water Rights Commission which are not in conflict with this chapter and any term or condition contained in declarations of appropriation and permits heretofore or hereafter granted by the Commission which are not in conflict with this chapter; amending Article 7531, Vernon's Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

FILED MAR 14 1969

READ 1st TIME AND REFERRED TO COMMITTEE ON Conservation & Reclamation MAR 20 1969

Dorothy Hallman

Chief Clerk, House of Representatives