Sec. 26.0271. PERMITS AUTHORIZING REUSE WATER SYSTEM CONTRIBUTIONS AND DISCHARGES. (a) This section applies only to wastewater treatment facilities operated by an agency of a home-rule municipality with a population of one million or more.

(b) In any permit or amendment to a permit issued under this chapter, at the request of the applicant the commission may authorize a wastewater treatment facility to contribute treated domestic wastewater produced by the facility as reclaimed water to a reuse water system if the commission has approved the use of reclaimed water from the wastewater treatment facility.

(c) In any permit or amendment to a permit issued under this chapter, at the request of the applicant the commission shall authorize, subject to any required approval by the United States Environmental Protection Agency, a wastewater treatment facility to:

(1) contribute reclaimed water into a reuse water system operated by the agency; and

(2) discharge reclaimed water contributed to a reuse water system at any outfall for which a discharge from the reuse water system is authorized in any permit issued for any wastewater treatment facility operated by the agency.

(d) For an effluent limitation violation occurring at an outfall permitted for reuse water system discharges by more than one wastewater treatment facility, the commission shall attribute the violation to the wastewater treatment facility contributing the reclaimed water causing the violation. For a violation that is not directly attributable to a specific wastewater treatment facility, the commission shall attribute the violation to the wastewater treatment facility contributing the greatest volume of reclaimed water to the reuse water system on the date of the violation.

SECTION 2. (a) The change in law made by Section 26.0271, Water Code, as added by this Act, applies only to permits or amendments to permits issued on or after the effective date of this Act. A permit or permit amendment that was issued before the effective date of this Act is governed by the law in effect at the time the permit or amendment to the permit was issued, and the former law is continued in effect for that purpose.

(b) It is the intent of the legislature that the change in law made by Section 26.0271, Water Code, as added by this Act, does not in any way alter the current law related to permits, amendments to permits, authorizations, and other approvals for the contribution or discharge of reclaimed water, including the commission's current reclaimed water rules, as applied to any entity other than a wastewater treatment facility operated by an agency of a home-rule municipality with a population of one million or more, including a municipality with a population of less than one million.

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, 2009.

Passed by the House on April 22, 2009: Yeas 149, Nays 0
Present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 410

H.B. No. 1947

AN ACT
relating to the election and terms of office of directors of the Guadalupe County Groundwater Conservation District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 9, Chapter 1066, Acts of the 75th Legislature, Regular Session, 1997, is amended to read as follows:

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Sec. 9. ELECTION OF DIRECTORS. [(a)] On the uniform election date in November of each odd-numbered year, the district shall hold an election in the district to elect [first Saturday in May of the second year after the year in which the district is authorized to be created at a confirmation election, an election shall be held in the district for the election of three directors, each of whom shall serve a two-year term, and four directors, each of whom shall serve a four-year term.]

[(b) On the first Saturday in May of each subsequent second year following the election,] the appropriate number of directors [shall be elected] to the district’s board of directors.

SECTION 2. Section 6(g), Chapter 1066, Acts of the 75th Legislature, Regular Session, 1997, is repealed.

SECTION 3. (a) All governmental acts and proceedings of the Guadalupe County Groundwater Conservation District relating to the election of members of the board of directors of the district that were taken before the effective date of this Act are validated, ratified, and confirmed in all respects as if they had been taken as authorized by law.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 4. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. 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, 2009.

Passed by the House on April 15, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 411

H.B. No. 1949

AN ACT
relating to the issuance and execution of agriculture warrants; creating an offense.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 71, Agriculture Code, is amended by adding Section 71.0083 to read as follows:

Sec. 71.0083. AGRICULTURE WARRANTS. (a) In addition to vehicle inspections authorized under Section 71.0081, the department may seek an agriculture warrant with respect to a plant pest or plant disease identified in the application for the warrant to: