(2) "Beat pump-out station" means any private or public shoreside installation either independent of or in addition to an organized waste collection, treatment, and disposal system used to receive boat sewage.

(3) "Shoreside installation" means marine and other installations servicing boats on fresh water of Texas.

(4) "Fresh water" means as geographically applied all of the surface lakes, streams, and reservoirs of the state, exclusive of the extent of ordinary tidal action on this water.

(b) After a public hearing and after making every reasonable effort to bring about the establishment of an adequate number of boat pump-out stations on surface [fresh] water in the state, the commission may enter an order requiring the establishment of boat pump-out stations by a local government that has any jurisdiction over at least a portion of the surface [fresh] water in the state or over land immediately adjacent to the [fresh] water.

(c) If a local government is authorized to issue authorization for the operation of shoreside, mobile, or floating installations, the local government may require the installation and operation of boat pump-out stations where necessary. The local government shall require the installation and operation of boat pump-out stations if required by the commission.

SECTION 3. The heading to Section 31.129, Parks and Wildlife Code, is amended to read as follows:

Sec. 31.129. VIOLATION AND ENFORCEMENT OF SEWAGE DISPOSAL REGULATIONS.

SECTION 4. Section 31.129, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) A person who violates or fails to comply with a rule of the Texas Commission on Environmental Quality concerning the disposal of sewage from boats commits an offense that is a Class C misdemeanor. A separate offense is committed each day a violation continues.

(c) A game warden or peace officer who is certified as a marine safety enforcement officer under Section 31.121 may enforce a rule of the Texas Commission on Environmental Quality concerning the disposal of sewage from boats.

(d) A marine safety enforcement officer who reasonably suspects that a boat is discharging sewage in an area where discharge is prohibited may, if the owner or operator is aboard, board the boat for the purpose of inspecting the marine sanitation device for proper operation and testing the sanitation and holding devices, including placing a dye tablet in the holding tank.

SECTION 5. This Act takes effect September 1, 2009.

Passed the Senate on April 22, 2009: Yeas 29, Nays 1; passed the House on May 26, 2009: Yeas 146, Nays 0, one present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 580

S.B. No. 2454

AN ACT

relating to preferences of certain district courts in Tarrant County.

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

SECTION 1. Section 24.118, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The 17th District Court shall give preference to civil matters.

SECTION 2. Section 24.150, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The 1...
(d) The 48th District Court shall give preference to civil matters.

SECTION 3. Section 24.169, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The 48th District Court shall give preference to civil matters.

SECTION 4. Section 24.198, Government Code, is amended by adding Subsection (c) to read as follows:

(c) The 96th District Court shall give preference to civil matters.

SECTION 5. Section 24.252, Government Code, is amended by adding Subsection (e) to read as follows:

(e) The 153rd District Court shall give preference to civil matters.

SECTION 6. Section 24.352, Government Code, is amended to read as follows:

Sec. 24.352. 141ST JUDICIAL DISTRICT (TARRANT COUNTY). (a) The 141st Judicial District is composed of Tarrant County.

(b) The 141st District Court shall give preference to civil matters.

SECTION 7. Section 24.413, Government Code, is amended to read as follows:

Sec. 24.413. 236TH JUDICIAL DISTRICT (TARRANT COUNTY). (a) The 236th Judicial District is composed of Tarrant County.

(b) The 236th District Court shall give preference to civil matters.

SECTION 8. 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 the Senate on April 30, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 145, Nays 0, one present not voting.

Approved June 19, 2009.


CHAPTER 581

S.B. No. 2460

AN ACT

relating to the creation of the Brazoria County Municipal Utility District No. 65; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8357 to read as follows:

CHAPTER 8357. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 65

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8357.001. DEFINITIONS. In this chapter:

(1) “Board” means the district’s board of directors.

(2) “Director” means a board member.

(3) “District” means the Brazoria County Municipal Utility District No. 65.

Sec. 8357.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8357.003. CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.