prioritization of the projects to the Texas Water Development Board not later than June 1, 2014. The board shall provide comments to each regional water planning group on the draft prioritization submitted by the group. Each regional water planning group shall submit a final prioritization of the projects to the board not later than September 1, 2014.

(b) Section 15.436(d), Water Code, as added by this Act, applies to a regional water plan beginning with the plan that is required to be submitted to the Texas Water Development Board by January 5, 2016.

SECTION 2.26. The Texas Water Development Board shall post the information described by Section 15.440(b), Water Code, as added by this Act, on the board’s Internet website not later than March 1, 2014.

SECTION 2.27. Sections 2.01–2.07, 2.13–2.18, and 2.21–2.26 of this article take effect on the date on which the constitutional amendment proposed by the 83rd Legislature, Regular Session, 2013, adding Sections 49-d-12 and 49-d-13, Article III, Texas Constitution, creating the state water implementation fund for Texas and the state water implementation revenue fund for Texas takes effect. If that amendment is not approved by the voters, those sections of this article have no effect.

ARTICLE 3. EFFECTIVE DATE

SECTION 3.01. Except as otherwise provided by this Act, this Act takes effect September 1, 2013.

Passed by the House on March 27, 2013: Yeas 146, Nays 2, 1 present, not voting; the House refused to concur in Senate amendments to H.B. No. 4 on May 3, 2013, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 4 on May 20, 2013: Yeas 141, Nays 4, 2 present, not voting; passed by the Senate, with amendments, on April 29, 2013: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 4 on May 20, 2013: Yeas 30, Nays 1.

Approved May 28, 2013.

Effective September 1, 2013, except as otherwise provided by this Act.

CHAPTER 208

H.B. No. 1445

AN ACT
relating to the distribution of certain civil penalties and civil restitution received by the attorney general.

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

SECTION 1. This Act shall be known as the Chief Justice Jack Pope Act.

SECTION 2. Section 402.007, Government Code, is amended to read as follows:

Sec. 402.007. PAYMENT TO TREASURY; ALLOCATION OF CERTAIN MONEY RECEIVED BY ATTORNEY GENERAL [PENALTIES]. (a) The attorney general shall immediately pay into the state treasury money received for a debt, a penalty, or restitution.

(b) Subject to Subsection (d) [§], the comptroller shall credit to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent the net amount of:

1. a civil penalty that is recovered in an action by the attorney general in any matter actionable under Subchapter E, Chapter 17, Business & Commerce Code, after deducting amounts allocated to or retained by the attorney general as authorized by law, unless:
(A) another law requires that the penalty be credited to a different fund or account; or

(B) the judgment awarding the penalty requires that the penalty be paid to another named recipient; and

(2) civil restitution recovered by the attorney general in an action brought by the attorney general arising from conduct that violates a consumer protection, public health, or general welfare law, if, on the hearing of an ex parte motion filed by the attorney general after the entry of a judgment awarding civil restitution, the court:

(A) determines that, based on the facts and circumstances of the case:

(i) it is impossible or impracticable to identify injured parties;

(ii) it is impossible or impracticable to determine the degree to which each claimant was injured and entitled to recover;

(iii) the cost of administering a claim procedure will disproportionately reduce the amount of restitution available for the payment of individual claims; or

(iv) the claims of all identifiable persons eligible to receive restitution have been paid without exhausting the funds available for restitution; and

(B) enters a judgment or order that the restitution be credited to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent.

(c) If a court enters a judgment or order that restitution be credited to the judicial fund, the attorney general shall notify the Legislative Budget Board and shall distribute that restitution in accordance with the court judgment or order.

(d) The total amount credited to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent under Subsection (b) may not exceed $50 million per state fiscal biennium.

(e) The provisions of this section do not limit the common law authority or other statutory authority of the attorney general to seek and obtain cy pres distribution from a court.

SECTION 3. The change in law made by this Act applies only to a civil penalty or civil restitution that is received by the attorney general on or after the effective date of this Act.

SECTION 4. 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, 2013.

Passed by the House on April 18, 2013: Yeas 143, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1445 on May 16, 2013: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 15, 2013: Yeas 30, Nays 1.

Approved May 28, 2013.
Effective May 28, 2013.

CHAPTER 209

H.B. No. 2767

AN ACT

relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.

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

SECTION 1. Subtitle D, Title 3, Natural Resources Code, is amended by adding Chapter 122 to read as follows: