

BILL ANALYSIS

Senate Research Center
76R5388 CBH-F

S.B. 950
By: Duncan
Natural Resources
4/8/1999
Committee Report (Amended)

DIGEST

Currently, commercially owned and operated multi-family residential properties, such as apartment complexes and manufactured home rental communities, normally receive water and wastewater service from the local public utility on a master meter basis. Submetering is an integral part of the Texas water conservation policy and should be encouraged. However, submetering is currently not authorized at manufactured housing rental communities. This bill would authorize submetering at manufactured housing rental communities in order to encourage the conservation of the state's water resources.

PURPOSE

As proposed, S.B. 950 authorizes submetering at manufactured housing rental communities.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 13.503(c), Water Code) and SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 13M, Water Code, as follows:

SUBCHAPTER M. New heading: SUBMETERING AND NONMETERING FOR APARTMENTS AND MANUFACTURED HOME RENTAL COMMUNITIES AND OTHER MULTIPLE USE FACILITIES.

Sec. 13.501. DEFINITIONS. Redefines "dwelling unit," "manufactured home rental community," and "owner." Deletes the definition of "mobile home park."

Sec. 13.502. SUBMETERING. Makes a conforming change.

Sec. 13.503. SUBMETERING RULES. Requires the Texas Natural Resource Conservation Commission (TNRCC) to encourage submetering of individual rental or dwelling units by master meter operators to enhance the conservation of water resources. Requires the rules to require that certain individuals may not impose on the tenant any extra charges, over and above the cost per gallon and any applicable taxes and surcharges that are charged by the retail public utility to the owner or manager. Requires the rules to authorize a manufactured home community owner or manager to impose a service charge of not more than nine percent of the costs related to submetering allocated to each submetered rental or dwelling unit, in addition to the charges permitted under Subsection (b). Makes conforming and nonsubstantive changes.

Sec. 13.5031. NONSUBMETERING RULES. Makes conforming changes.

Sec. 13.504. IMPROPER RENTAL RATE INCREASE. Makes conforming changes.

Sec. 13.505. ENFORCEMENT. Makes conforming changes.

SECTION 2. Requires TNRCC to adopt rules to implement the changes made to Chapter 13M, Water Code, by this Act as soon after the effective date of this Act as possible.

SECTION 3. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 13.501, Chapter 13M, Water Code, to redefine “manufactured home rental community.” Amends Section 13.503, Water Code, concerning submetering rules. Deletes proposed Section 13.503, Water Code.