

BILL ANALYSIS

Senate Research Center

H.B. 2036
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Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

Cities lose significant revenue when customers move to another city and fail to pay owed utility bills to their original city. Revenue losses are most prevalent in water and sewer services. H.B. 2036 authorizes cities and other public entities to work cooperatively to recover lost revenue by collecting unpaid utility charges or solid waste services disposal fees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 402, Local Government Code, by adding Section 402.910, as follows:

Sec. 402.910. AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS FOR COLLECTION OF PAST DUE UTILITY OR SOLID WASTE DISPOSAL SERVICE FEES. (a) Authorizes a municipality that operates a utility system, as defined by Section 402.001, or provides solid waste disposal services to enter an agreement for the collection of unpaid utility charges or solid waste disposal services fees with certain entities.

(b) Authorizes the agreement to provide that a municipality is authorized to perform certain tasks.

(c) Requires the agreement to provide for certain conditions to be met.

SECTION 2. Amends Section 364.034(e), Health and Safety Code, to require nothing in this subsection to limit the authority of a municipality under Section 364.031 or this section to contract with another public agency, private contractor for the other public agency, or private contractor to provide all or some solid waste disposal services to persons in its territory. Provides that this section does not apply to a person who provides the public or private entity, public agency other than a municipality, or county with written documentation that the person is receiving solid waste disposal services from another entity.

SECTION 3. Amends Subchapter C, Chapter 364, Health and Safety Code, by adding Section 364.037, as follows:

Sec. 364.037. AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS FOR COLLECTION OF PAST DUE UTILITY OR SOLID WASTE DISPOSAL SERVICES FEES. (a) Authorizes a county or public agency that offers solid waste disposal services under this subchapter to enter an agreement for the collection of unpaid utility or solid waste disposal services fees with certain entities.

(b) Authorizes the agreement to provide that a county or public agency is authorized to perform certain tasks.

(c) Requires the agreement to provide for certain conditions to be met.

SECTION 4. Effective date: upon passage or September 1, 2003.