

BILL ANALYSIS

Senate Research Center
79R12390 SGA-F

H.B. 1358
By: Flores (Armbrister)
Natural Resources
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, the Texas Commission on Environmental Quality (commission) has regulatory jurisdiction over investor-owned water and sewer utilities, but only appellate jurisdiction over water supply and sewer service corporations.

In order to provide more consistent regulatory guidelines for water and sewer providers and to ensure the best quality service for all water and sewer customers, H.B. 1358 amends Subchapter A, Chapter 13, Water Code, to give the commission the same jurisdiction over non-profit water supply and sewer service corporations that it already has over investor-owned water and sewer utilities under Chapter 13, if the commission finds that the non-profit water supply or sewer service corporation is failing to operate pursuant to certain statutory requirements.

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 A, Chapter 13, Water Code, by adding Section 13.004, as follows:

Sec. 13.004. JURISDICTION OF COMMISSION OVER CERTAIN WATER SUPPLY OR SEWER SERVICE CORPORATIONS. (a) Provides that the Texas Commission on Environmental Quality (commission), notwithstanding any other law, has the same jurisdiction over a water supply or sewer service corporation that the commission has under this chapter over a water and sewer utility if the commission finds that the water supply or sewer service corporation is failing to conduct annual or special meetings in compliance with Section 67.007 (Annual or Special Meeting), or is operating in a manner that does not comply with certain requirements for classifications as a nonprofit water supply or sewer service corporation.

(b) Provides that if the water supply or sewer service corporation voluntarily converts to a special utility district operating under Chapter 65 (Special Utility District), the commission's jurisdiction provided by this section ends.

SECTION 2. Effective date: upon passage or September 1, 2005.