

By: Swanson, et al.

H.B. No. 2496

Substitute the following for H.B. No. 2496:

By: King of Uvalde

C.S.H.B. No. 2496

A BILL TO BE ENTITLED

AN ACT

relating to notice provided by certain public water systems regarding a water service interruption in an area served by a fire department that provides fire suppression services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 341, Health and Safety Code, is amended by adding Section 341.03561 to read as follows:

Sec. 341.03561. NOTICE OF WATER SERVICE INTERRUPTION TO FIRE DEPARTMENT. (a) In this section:

(1) "Fire department" has the meaning assigned by Section 795.001.

(2) "Hydrant" has the meaning assigned by Section 341.03571.

(3) "Public safety answering point" has the meaning assigned by Section 772.001.

(4) "Regulatory authority" has the meaning assigned by Section 13.002, Water Code, except the term does not include the governing body of a municipality.

(b) This section applies only to a public water system located outside the incorporated area of a municipality that is required by a regulatory authority to install and maintain a hydrant under Section 341.0358, 341.03585, or 341.0359, including rules and standards adopted under those sections.

(c) The regulatory authority of a public water system to

1 which this section applies shall by rule require the public water
2 system to provide to each fire department providing fire
3 suppression services in the area where the hydrant is located
4 notice of a water service interruption that renders the hydrant
5 temporarily unavailable for use in a fire emergency. The notice
6 must be provided:

7 (1) for a planned water service interruption, before
8 the interruption begins; and

9 (2) for an unplanned water service interruption of
10 three hours or more, as soon as practicable but not later than 24
11 hours from the time the authority is first notified or otherwise
12 becomes aware of the interruption.

13 (d) A public water system to which this section applies
14 shall notify each fire department that is provided notice of a water
15 service interruption under Subsection (c) notice of the water
16 service's resumption not later than two hours from the time the
17 water service is resumed.

18 (e) For the purposes of this section, a hydrant that is
19 unavailable for pumping directly from the hydrant is unavailable
20 for use in a fire emergency.

21 (f) For purposes of providing the required notice under
22 Subsections (c) and (d), the regulatory authority of a public water
23 system may approve the use of:

24 (1) a dynamic information database described by
25 Section 418.192, Government Code; and

26 (2) the public water system's Internet website or a
27 social media platform, as defined by Section 120.001, Business &

1 Commerce Code, that allows fire departments to subscribe to or
2 otherwise receive notices from the website or platform.

3 (g) The regulatory authority of a public water system may
4 delegate the system's duty to provide notice under Subsection (c)
5 or (d) to a public safety answering point that relays information to
6 fire departments providing fire suppression services in the area
7 where the affected hydrant is located. A public safety answering
8 point delegated the duty to provide notice under Subsection (c) or
9 (d) must provide that notice in accordance with the applicable time
10 for notice under those subsections.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2023.