

By: Swanson

H.B. No. 2496

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to notice provided by a public water system regarding a  
3 water outage in an area served by a provider of fire protection  
4 services.

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

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

8 Sec. 341.03561. NOTIFICATION OF WATER OUTAGE TO PROVIDER OF  
9 FIRE SUPPRESSION SERVICES. (a) In this section:

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

12 (2) "Hydrant" has the meaning assigned by Section  
13 341.03571.

14 (3) "Regulatory authority" has the meaning assigned by  
15 Section 13.002, Water Code.

16 (4) "Public safety answering point" has the meaning  
17 assigned by Section 772.001.

18 (b) The regulatory authority for a public water system  
19 responsible for a hydrant shall by rule or ordinance require the  
20 public water system to provide to each fire department that  
21 provides fire suppression services in the area in which the hydrant  
22 is located notice of an unplanned water service interruption that  
23 results in the hydrant being temporarily unavailable for use in a  
24 fire emergency as soon as possible, but no later than:

1           (1) one hour from the first notification that a  
2 hydrant is unavailable for use when the outage impacts multiple  
3 hydrants; or

4           (2) three hours from the first notification that a  
5 hydrant is unavailable for use when the outage impacts a singular  
6 hydrant.

7           (c) The regulatory authority for a public water system  
8 responsible for a hydrant shall by rule or ordinance require the  
9 public water system to provide to each fire department that  
10 provides fire suppression services in the area in which the hydrant  
11 is located notice of a planned water service interruption that  
12 results in the hydrant being temporarily unavailable for use in a  
13 fire emergency prior to a disruption of service.

14           (d) The regulatory authority for a public water system  
15 responsible for a hydrant shall by rule or ordinance require the  
16 public water system to provide to each fire department that  
17 provides fire suppression services in the area impacted by a water  
18 service interruption under Subsections (b) or (c) notice of a  
19 resumption of service within two hours.

20           (e) For the purposes of this section, a hydrant is  
21 unavailable for use in a fire emergency if it is unavailable for  
22 pumping directly from the hydrant or is unavailable for use in  
23 filling a water tank on a fire truck used for fire suppression  
24 services.

25           (f) The regulatory authority may approve the use of a  
26 dynamic information database described by Section [418.192](#),  
27 Government Code, to satisfy the requirements of Subsections (b),

1 (c), and (d).

2 (g) The regulatory authority may instead provide notice to a  
3 public safety answering point that relays information to a fire  
4 department that provides fire suppression services in the area in  
5 which an affected hydrant is located, to satisfy the requirements  
6 of Subsections (b), (c), and (d).

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