

By: Rogers

H.B. No. 3232

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the suspension of an enforcement action against a  
3 regional water supply, sewer, or wastewater treatment service for a  
4 violation committed by a retail public utility being integrated  
5 into the regional service.

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

7 SECTION 1. Section [7.0026](#), Water Code, is amended to read as  
8 follows:

9 Sec. 7.0026. SUSPENSION OF ENFORCEMENT ACTION AGAINST  
10 CERTAIN REGIONAL WATER, SEWER, OR SOLID WASTE SERVICES. (a) In  
11 this section, "retail public utility" has the meaning assigned by  
12 Section [13.002](#).

13 (b) If a water supply, sewer, wastewater treatment, or solid  
14 waste disposal service operated by or for a municipality or county  
15 is being integrated into a regional water supply, sewer, wastewater  
16 treatment, or solid waste disposal service, the commission may  
17 enter into a compliance agreement with the regional service under  
18 which the commission will not initiate an enforcement action  
19 against the regional service for existing or anticipated violations  
20 resulting from the operation by the regional service of the service  
21 being integrated. A compliance agreement under this section must  
22 include provisions necessary to bring the service being integrated  
23 into compliance.

24 (c) If a water supply, sewer, or wastewater treatment

1 service operated by a retail public utility, other than a  
2 municipality or county, is being integrated into a regional water  
3 supply, sewer, or wastewater treatment service administered by  
4 another entity, the commission may enter into a compliance  
5 agreement with the regional service under which the commission will  
6 not initiate an enforcement action against the regional service for  
7 existing or anticipated violations resulting from the operation by  
8 the regional service of the service being integrated. A compliance  
9 agreement under this section must include provisions necessary to  
10 bring the service being integrated into compliance.

11 (d) This section does not prohibit the commission from  
12 initiating an enforcement action against a regional service that is  
13 a party to a compliance agreement if the regional service does not  
14 substantially comply with the agreement.

15 SECTION 2. Not later than December 1, 2023, the Texas  
16 Commission on Environmental Quality shall adopt rules as necessary  
17 to implement Section 7.0026(c), Water Code, as added by this Act.

18 SECTION 3. This Act takes effect September 1, 2023.