

1-1 By: Rogers (Senate Sponsor - Perry) H.B. No. 3232  
1-2 (In the Senate - Received from the House May 1, 2023;  
1-3 May 2, 2023, read first time and referred to Committee on Water,  
1-4 Agriculture & Rural Affairs; May 19, 2023, reported favorably by  
1-5 the following vote: Yeas 9, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the suspension of an enforcement action against a  
1-20 regional water supply, sewer, or wastewater treatment service for a  
1-21 violation committed by a retail public utility being integrated  
1-22 into the regional service.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 7.0026, Water Code, is amended to read as  
1-25 follows:

1-26 Sec. 7.0026. SUSPENSION OF ENFORCEMENT ACTION AGAINST  
1-27 CERTAIN REGIONAL WATER, SEWER, OR SOLID WASTE SERVICES. (a) In  
1-28 this section, "retail public utility" has the meaning assigned by  
1-29 Section 13.002.

1-30 (b) If a water supply, sewer, wastewater treatment, or solid  
1-31 waste disposal service operated by or for a municipality or county  
1-32 is being integrated into a regional water supply, sewer, wastewater  
1-33 treatment, or solid waste disposal service, the commission may  
1-34 enter into a compliance agreement with the regional service under  
1-35 which the commission will not initiate an enforcement action  
1-36 against the regional service for existing or anticipated violations  
1-37 resulting from the operation by the regional service of the service  
1-38 being integrated. A compliance agreement under this section must  
1-39 include provisions necessary to bring the service being integrated  
1-40 into compliance.

1-41 (c) If a water supply, sewer, or wastewater treatment  
1-42 service operated by a retail public utility, other than a  
1-43 municipality or county, is being integrated into a regional water  
1-44 supply, sewer, or wastewater treatment service administered by  
1-45 another entity, the commission may enter into a compliance  
1-46 agreement with the regional service under which the commission will  
1-47 not initiate an enforcement action against the regional service for  
1-48 existing or anticipated violations resulting from the operation by  
1-49 the regional service of the service being integrated. A compliance  
1-50 agreement under this section must include provisions necessary to  
1-51 bring the service being integrated into compliance.

1-52 (d) This section does not prohibit the commission from  
1-53 initiating an enforcement action against a regional service that is  
1-54 a party to a compliance agreement if the regional service does not  
1-55 substantially comply with the agreement.

1-56 SECTION 2. Not later than December 1, 2023, the Texas  
1-57 Commission on Environmental Quality shall adopt rules as necessary  
1-58 to implement Section 7.0026(c), Water Code, as added by this Act.

1-59 SECTION 3. This Act takes effect September 1, 2023.

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