

By: Hinojosa

S.B. No. 448

A BILL TO BE ENTITLED

AN ACT

relating to certain cost sharing requirements for a desalination facility operating under a public-private partnership.

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

SECTION 1. Subchapter B, Chapter 2267, Government Code, is amended by adding Section 2267.067 to read as follows:

Sec. 2267.067. COST SHARING REQUIREMENTS FOR CERTAIN QUALIFYING PROJECTS. (a) Subject to Subsection (b), a comprehensive agreement or service contract for a qualifying project authorizing the operation of a desalination facility, including a brackish water desalination facility, shall require a private entity to pay at least 50 percent of the energy costs to operate the facility.

(b) This section applies only after a desalination facility charges the first customer for water produced by the facility.

SECTION 2. Section 2267.067, Government Code, as added by this Act, applies only to a comprehensive agreement or service contract executed for a qualifying project authorizing the operation of a desalination facility that begins charging customers for water produced by the facility on or after the effective date of this Act. A comprehensive agreement or service contract executed for the operation of a desalination facility that began charging customers for water produced by the facility before the effective date of this Act is governed by the law in effect on the date the

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1 agreement or contract was entered into, and the former law is  
2 continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2025.