

## **BILL ANALYSIS**

H.B. 3034  
By: Ellis  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The 77th Texas Legislature incorporated language into S.B. 2 which prohibited the consolidation of more than one private water system under a single rate unless certain conditions apply, and set forth provisions regarding factors and costs to be considered in setting rates and the proceedings related to complaints of utility rate changes. In implementing the legislation, the Texas Commission on Environmental Quality (TCEQ) requested clarification regarding the applicability clause of the legislation. This bill clarifies that the legislative intent was for the legislation to apply to all private water companies with a rate proceeding in the which the TCEQ had not issued a final order.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3034 strikes language from Section 10.08(a), Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, to provide that the legislation applies to any proceeding in which the TCEQ (formerly the Texas Natural Resource Conservation Commission) has not issued a final order before the effective date of the article. The legislation further states that this change is a clarification of existing law and does not imply that existing law may be construed as being inconsistent with the law as amended by this act.

### **EFFECTIVE DATE**

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.