

By: Berman

H.B. No. 467

A BILL TO BE ENTITLED

AN ACT

relating to water and sewer service provided to residents of certain areas annexed by a municipality.

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

SECTION 1. Section 13.255, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The commission by rule shall allow a municipality to temporarily provide retail water or sewer utility service without a certificate of public convenience and necessity to an area in the municipality or the municipality's extraterritorial jurisdiction that is also in the certified area of a water supply corporation if the water supply corporation is unable or unwilling to provide the service within 90 days after the service is requested. The rules must require the municipality to file notice with the water supply corporation under Subsection (b) of its intent to provide service in the annexed area or the municipality's extraterritorial jurisdiction and to file an application with the commission under that subsection to grant single certification to the municipally owned water or sewer utility or to a franchised utility. The rules must also provide for expedited procedures for consideration of the application. The commission shall grant single certification to the municipality under this subsection not later than the 45th day after the date on which the application is received.

SECTION 2. This Act takes effect September 1, 2003.