

AN ACT

relating to the performance of a water audit by a retail public utility providing potable water.

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

SECTION 1. Subchapter B, Chapter 16, Water Code, is amended by adding Section 16.0121 to read as follows:

Sec. 16.0121. WATER AUDITS. (a) In this section, "retail public utility" has the meaning assigned by Section 13.002.

(b) Every five years, a retail public utility providing potable water shall perform and file with the board a water audit computing the utility's most recent annual system water loss.

(c) The board shall develop appropriate methodologies and submission dates for a water audit required under Subsection (b) for the following categories of retail public utilities:

(1) retail public utilities serving populations of 100,000 or more;

(2) retail public utilities serving populations of 50,000 or more but less than 100,000;

(3) retail public utilities serving populations of more than 3,300 but less than 50,000; and

(4) retail public utilities serving populations of 3,300 or less.

(d) In developing the methodologies required by Subsection (c), the board shall ensure that each methodology:

1 (1) is financially feasible for the category of retail
2 public utility for which it is developed; and

3 (2) considers differences in population density,
4 source of water supply, the mean income of the service population,
5 and other factors determined by the board.

6 (e) The methodologies required by Subsection (c) shall
7 account for various components of system water loss, including loss
8 from distribution lines, inaccuracies in meters or accounting
9 practices, and theft.

10 (f) The board shall compile the information included in the
11 water audits required by Subsection (b) according to category of
12 retail public utility and according to regional water planning
13 area. The regional planning group for a regional planning area
14 shall use the information to identify appropriate water management
15 strategies in the development of a regional water plan under
16 Section 16.053.

17 SECTION 2. Section 16.053(j), Water Code, is amended to
18 read as follows:

19 (j) The board may provide financial assistance to political
20 subdivisions under Subchapters E and F of this chapter, Subchapters
21 C, D, E, F, J, O, and P, Chapter 15, and Subchapters D, I, K, and L,
22 Chapter 17, for water supply projects only if:

23 (1) the board determines that the needs to be
24 addressed by the project will be addressed in a manner that is
25 consistent with the state water plan; ~~and~~

26 (2) beginning January 5, 2002, the board:

27 (A) has approved a regional water plan as

1 provided by Subsection (i), and any required updates of the plan,
2 for the region of the state that includes the area benefiting from
3 the proposed project; and

4 (B) determines that the needs to be addressed by
5 the project will be addressed in a manner that is consistent with
6 that regional water plan; and

7 (3) the board finds that the water audit required
8 under Section 16.0121 has been completed and filed.

9 SECTION 3. This Act takes effect September 1, 2003.

H.B. No. 3338

President of the Senate

Speaker of the House

I certify that H.B. No. 3338 was passed by the House on May 10, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 3338 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor