

1-1 By: Puentes (Senate Sponsor - Armbrister) H.B. No. 3338
1-2 (In the Senate - Received from the House May 12, 2003;
1-3 May 13, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 23, 2003, reported favorably by the following vote:
1-5 Yeas 8, Nays 0, 1 present not voting; May 23, 2003, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the performance of a water audit by a retail public
1-10 utility providing potable water.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter B, Chapter 16, Water Code, is amended
1-13 by adding Section 16.0121 to read as follows:

1-14 Sec. 16.0121. WATER AUDITS. (a) In this section, "retail
1-15 public utility" has the meaning assigned by Section 13.002.

1-16 (b) Every five years, a retail public utility providing
1-17 potable water shall perform and file with the board a water audit
1-18 computing the utility's most recent annual system water loss.

1-19 (c) The board shall develop appropriate methodologies and
1-20 submission dates for a water audit required under Subsection (b)
1-21 for the following categories of retail public utilities:

1-22 (1) retail public utilities serving populations of
1-23 100,000 or more;

1-24 (2) retail public utilities serving populations of
1-25 50,000 or more but less than 100,000;

1-26 (3) retail public utilities serving populations of
1-27 more than 3,300 but less than 50,000; and

1-28 (4) retail public utilities serving populations of
1-29 3,300 or less.

1-30 (d) In developing the methodologies required by Subsection
1-31 (c), the board shall ensure that each methodology:

1-32 (1) is financially feasible for the category of retail
1-33 public utility for which it is developed; and

1-34 (2) considers differences in population density,
1-35 source of water supply, the mean income of the service population,
1-36 and other factors determined by the board.

1-37 (e) The methodologies required by Subsection (c) shall
1-38 account for various components of system water loss, including loss
1-39 from distribution lines, inaccuracies in meters or accounting
1-40 practices, and theft.

1-41 (f) The board shall compile the information included in the
1-42 water audits required by Subsection (b) according to category of
1-43 retail public utility and according to regional water planning
1-44 area. The regional planning group for a regional planning area
1-45 shall use the information to identify appropriate water management
1-46 strategies in the development of a regional water plan under
1-47 Section 16.053.

1-48 SECTION 2. Section 16.053(j), Water Code, is amended to
1-49 read as follows:

1-50 (j) The board may provide financial assistance to political
1-51 subdivisions under Subchapters E and F of this chapter, Subchapters
1-52 C, D, E, F, J, O, and P, Chapter 15, and Subchapters D, I, K, and L,
1-53 Chapter 17, for water supply projects only if:

1-54 (1) the board determines that the needs to be
1-55 addressed by the project will be addressed in a manner that is
1-56 consistent with the state water plan; ~~and~~

1-57 (2) beginning January 5, 2002, the board:

1-58 (A) has approved a regional water plan as
1-59 provided by Subsection (i), and any required updates of the plan,
1-60 for the region of the state that includes the area benefiting from
1-61 the proposed project; and

1-62 (B) determines that the needs to be addressed by
1-63 the project will be addressed in a manner that is consistent with
1-64 that regional water plan; and

2-1 (3) the board finds that the water audit required
2-2 under Section 16.0121 has been completed and filed.
2-3 SECTION 3. This Act takes effect September 1, 2003.

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