

By: Flores

H.B. No. 1358

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the jurisdiction of the Texas Commission on
3 Environmental Quality over certain water supply or sewer service
4 corporations.

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

6 SECTION 1. Subchapter A, Chapter 13, Water Code, is amended
7 by adding Section 13.004 to read as follows:

8 Sec. 13.004. JURISDICTION OF COMMISSION OVER CERTAIN WATER
9 SUPPLY OR SEWER SERVICE CORPORATIONS. (a) Notwithstanding any
10 other law, the commission has the same jurisdiction over a water
11 supply or sewer service corporation that the commission has under
12 this chapter over a water and sewer utility if the commission finds
13 that the water supply or sewer service corporation:

14 (1) is failing to conduct annual or special meetings
15 in compliance with Section 67.007; or

16 (2) is operating in a manner that does not comply with
17 the requirements for classifications as a nonprofit water supply or
18 sewer service corporation prescribed by Sections 13.002(11) and
19 (24).

20 (b) If the water supply or sewer service corporation
21 voluntarily converts to a special utility district operating under
22 Chapter 65, the commission's jurisdiction provided by this section
23 ends.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2005.