

By: Flores

H.B. No. 1358

Substitute the following for H.B. No. 1358:

By: Puente

C.S.H.B. No. 1358

A BILL TO BE ENTITLED

AN ACT

1  
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

C.S.H.B. No. 1358

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.