

By: Kolkhorst

H.B. No. 2076

A BILL TO BE ENTITLED

AN ACT

relating to the use of revenue generated by municipally owned electric utilities.

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

SECTION 1. Subchapter A, Chapter 33, Utilities Code, is amended by adding Section 33.009 to read as follows:

Sec. 33.009. NOTIFICATION REGARDING DIVERSION OF REVENUE.

(a) A municipally owned utility that diverts revenue derived from the provision of electric service to a general municipal fund or to another municipal fund or account that may be spent for a purpose that is unrelated to the costs of the utility's provision of electric service and the municipality that receives the diverted revenue jointly shall publish a notice that contains:

(1) the percentage of the utility's annual revenues derived from the provision of electric service that the amount diverted represents;

(2) the total amount of revenue diverted during the municipality's most recent fiscal year and the amount of revenue diverted to each municipal fund or account during that fiscal year;
and

(3) the percentage of the municipality's budget for the most recent fiscal year that the amount of diverted revenues represents.

(b) The notice must be published:

1 (1) not later than the 31st day after the final day of
2 the municipality's fiscal year; and

3 (2) in a newspaper having general circulation in the
4 municipality.

5 (c) The notice must be prominently placed in the newspaper
6 and must be plainly stated in clear language.

7 SECTION 2. This Act takes effect September 1, 2005.