

By: Hilderbran

H.B. No. 2585

A BILL TO BE ENTITLED

AN ACT

relating to the rates of and billing cycle used by a water and sewer utility.

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

SECTION 1. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.146 to read as follows:

Sec. 13.146. BILLING CYCLE OF WATER AND SEWER UTILITY. A water and sewer utility may not adopt or use a billing cycle for retail service that is less than 30 days.

SECTION 2. Section 13.187(p), Water Code, is amended to read as follows:

(p) Except to implement a rate adjustment provision approved by the regulatory authority by rule or ordinance, as applicable, or to adjust the rates of a newly acquired utility system, a utility or two or more utilities under common control and ownership may not file a statement of intent to increase its rates more than once in a five-year [~~12-month~~] period, unless the regulatory authority determines that a financial hardship exists. If the regulatory authority requires the utility to deliver a corrected statement of intent, the utility is not considered to be in violation of the five-year [~~12-month~~] filing requirement.

SECTION 3. Section 13.187(p), Water Code, as amended by this Act, applies only to a statement of intent to increase rates filed on or after the effective date of this Act. A statement filed

1 before the effective date of this Act is governed by the law in
2 effect on the date the statement was filed, and that law is
3 continued in effect for that purpose.

4 SECTION 4. This Act takes effect September 1, 2005.