

By: Puente

H.B. No. 1656

Substitute the following for H.B. No. 1656:

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C.S.H.B. No. 1656

A BILL TO BE ENTITLED

AN ACT

relating to regulation of irrigation systems and irrigators.

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

SECTION 1. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.238 to read as follows:

Sec. 49.238. IRRIGATION SYSTEMS. (a) A district may adopt and enforce rules that require an installer of an irrigation system:

(1) to hold a license issued under Section 1903.251, Occupations Code; and

(2) to obtain a permit before installing a system within the boundaries of the district.

(b) If a district adopts rules under Subsection (a), the rules shall include minimum standards and specifications for designing, installing, and operating irrigation systems in accordance with Section 1903.053, Occupations Code, and any rules adopted by the Texas Commission on Environmental Quality under that section.

(c) A district may employ or contract with a licensed plumbing inspector, the district's operator, or another governmental entity to enforce the rules.

(d) A district may charge an installer of an irrigation system a fee for obtaining or renewing a permit under Subsection (a)(2). The district shall set the fee in an amount sufficient to

1 enable the district to recover the cost of administering this
2 section.

3 (e) This section does not apply to an on-site sewage
4 disposal system, as defined by Section 366.002, Health and Safety
5 Code.

6 SECTION 2. Chapter 401, Local Government Code, is amended
7 by adding Section 401.006 to read as follows:

8 Sec. 401.006. IRRIGATION SYSTEMS. (a) A municipality with
9 a population of 20,000 or more by ordinance shall require an
10 installer of an irrigation system:

11 (1) to hold a license issued under Section 1903.251,
12 Occupations Code; and

13 (2) to obtain a permit before installing a system
14 within the territorial limits or extraterritorial jurisdiction of
15 the municipality.

16 (b) The ordinance shall include minimum standards and
17 specifications for designing, installing, and operating irrigation
18 systems in accordance with Section 1903.053, Occupations Code, and
19 any rules adopted by the Texas Commission on Environmental Quality
20 under that section.

21 (c) A municipality may employ or contract with a licensed
22 plumbing inspector to enforce the ordinance.

23 (d) A municipality may charge an installer of an irrigation
24 system a fee for obtaining or renewing a permit under Subsection
25 (a)(2). The municipality shall set the fee in an amount sufficient
26 to enable the municipality to recover the cost of administering
27 this section.

1 (e) This section does not apply to an on-site sewage
2 disposal system, as defined by Section 366.002, Health and Safety
3 Code.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.