

By: McClendon

H.B. No. 3862

A BILL TO BE ENTITLED

AN ACT

relating to the duties of a water service provider in an area served by a municipal sewer service.

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

SECTION 1. Subchapter Z, Chapter 402, Local Government Code, is amended by adding Section 402.911 to read as follows:

Sec. 402.911. DUTIES OF WATER SERVICE PROVIDER TO AN AREA SERVED BY MUNICIPAL SEWER SERVICE. (a) This section applies to an area only if:

- (1) a municipality provides sewer service to the area;
- (2) an entity other than the municipality provides water service to the area; and
- (3) the municipality provides water service to other areas.

(b) A municipality may provide written notice to a person to whom the municipality's sewer service system provides service if the person has failed to pay for the service for more than 90 days. The notice must state the past due amount owed and the deadline by which the past due amount must be paid or the person will lose water service. The notice may be sent by mail or hand-delivered to the location at which the sewer service is provided.

(c) The municipality may notify the water service provider of a person who fails to make timely payment after the person receives notice under Subsection (b). The notice must indicate the

1 number of days the person has failed to pay for sewer services and
2 the total amount past due. On receipt of the notice, the water
3 service provider shall discontinue water service to the person.

4 (d) For each person the water service provider serves in an
5 area to which this section applies, the water service provider
6 shall provide the municipality with any relevant customer
7 information so that the municipality may bill users of the sewer
8 service directly and verify the water consumption of users.
9 Relevant customer information provided under this section includes
10 the name, address, and telephone number of the customer of the water
11 service provider, the monthly meter readings of the customer,
12 monthly consumption information, including any billing
13 adjustments, and certain meter information, such as brand, model,
14 age, and location.

15 (e) The municipality shall reimburse the water service
16 provider for its reasonable and actual incremental costs for
17 providing services to the municipality under this section.
18 Incremental costs are limited to only those costs that are in
19 addition to the water service provider's costs in providing its
20 services to its customers, and those costs must be consistent with
21 the costs incurred by other water utility providers. The water
22 service provider must provide the municipality with documentation
23 certified by a certified public accountant of the reasonable and
24 actual incremental costs for providing services to the municipality
25 under this section.

26 SECTION 2. This Act takes effect September 1, 2007.