

BILL ANALYSIS

H.B. 2374
By: Guillen
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Water Development Board ("TWDB") historically has not funded construction of service connections on private property for TWDB-funded water and wastewater projects under the Economically Distressed Areas Program, because of the constitutional limitation on the use of public bonds for private benefit. However, customers needing services often cannot afford the cost to connect their residences to the public water or wastewater project. Should the community not be able to afford the private hook-ups, the public investment associated with the project to build the collection, distribution, and treatment facilities may not be usable until the community can obtain additional funding from some other source to make the final service connections to the individual residences. Consequently, the public purpose of the Economically Distressed Areas Program, to eliminate unsanitary water and wastewater conditions and the public health threats associated with those conditions, remains unmet and unresolved.

H.B. 2374 provides that it is in the public interest to protect public health and sanitation by providing financial assistance for the costs associated with first time connection of public water supply and sanitary sewer services to residences that otherwise could not benefit from financial assistance through the Economically Distressed Areas Program.

RULEMAKING AUTHORITY

It is the Committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Chapter 17, Subchapter K, Texas Water Code, by adding new Section 17.923 as follows:

Provides that the public purpose of protecting public health and sanitation is served by financing residential plumbing assistance for first time connections through the Economically Distressed Areas Program. Provides that a political subdivision may use money from financial assistance under this subchapter to pay: costs to connect a residence to a water distribution or sewer collection system constructed under the program; costs to provide yard service connections, costs to provide a residence indoor plumbing facilities and fixtures; necessary connection and permit fees; or necessary costs of design related to such plumbing improvement described in this section.

SECTION 2. Provides the effective date of this act.

EFFECTIVE DATE

This Act takes effect September 1, 2009.