

BILL ANALYSIS

H.B. 4728
By: King, Phil
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The current service area of the Parker County Utility District is not spelled out accurately. Because there are interests from many different cities, a board is needed that can facilitate regional planning and initiatives. The bill accomplishes this by opening up the service area, and also gives a representation body to a retail system. Currently, the district is set up as a wholesale system and there are conflicts on whether the district can be a retail provider. The bill makes sure the conflicts are changed, and makes the district a more viable entity as Weatherford is now permitted to have an even number of board seats. Before, only customer entities could be member entities.

H.B. 4728 clarifies the service area of the Parker County Utility District, establishes additional customer advisory councils, and authorizes operation of retail services.

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

H.B. 4728 amends the Special District Local Laws Code to expand the purpose of the Parker County Utility District No. 1 to include purchasing, owning, holding, leasing, or otherwise acquiring water distribution facilities or other facilities required to facilitate the district's operations, and building, operating, and maintaining facilities to treat, transport, and store water, wastewater, or other products necessary for district operations. The bill removes provisions setting forth the composition of the district territory and establishes the boundaries of the district as coextensive with the boundaries of Parker County.

H.B. 4728 adds to the provision authorizing the district to establish a customer advisory council that it may establish one for each operating unit, consisting of one representative of each wholesale customer or retail unit of the district, rather than one representative for each customer of the district. The bill authorizes the board to establish, for each retail unit, a customer advisory council that consists of five members appointed by the retail customers of the unit in accordance with the laws applicable to and rules of the district. The bill requires an advisory council member to reside in the service area of the retail unit.

H.B. 4728 authorizes the district to operate retail, in addition to wholesale, wastewater and water systems and treatment works necessary to provide retail, in addition to wholesale, service to customers.

H.B. 4728 specifies that all funds and accounts of the district be audited annually by an independent auditor.

H.B. 4728 modifies the definitions of "customer," "member entity," and "participant entity" to conform to the provisions of the bill. The bill defines "enterprise fund," "operating unit," and "retail unit."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.