

By: Pitts, Anderson, Dunnam, Gattis,
Maldonado

H.B. No. 230

Substitute the following for H.B. No. 230:

By: Solomons

C.S.H.B. No. 230

A BILL TO BE ENTITLED

AN ACT

relating to exempting certain schools, nonprofit athletic or sports associations, and municipally owned facilities from certain demand charges by transmission and distribution utilities.

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

SECTION 1. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.009 to read as follows:

Sec. 35.009. BILLING DEMAND FOR CERTAIN UTILITY CUSTOMERS.

Notwithstanding any other provision of this code, a transmission and distribution utility shall exclude the following from the application of any ratchet provision contained in a tariff relating to distribution service:

(1) public and private schools;

(2) nonprofit athletic and sports associations; and

(3) municipally owned facilities.

SECTION 2. The Public Utility Commission of Texas shall adopt rules as necessary to implement Section 35.009, Utilities Code, as added by this Act, as soon as practicable. A transmission and distribution utility shall exclude from the application of ratchet provisions contained in its tariffs each school, association, or facility as provided by Section 35.009, Utilities Code, as added by this Act, not later than January 1, 2010.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.