

By: Maldonado

H.B. No. 2807

A BILL TO BE ENTITLED

AN ACT

relating to the water pressure standards for fire hydrants in certain municipalities.

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

SECTION 1. Sections 341.0357(b), (c), (d), (e), and (f), Health and Safety Code, as added by Chapter 861 (H.B. 1391), Acts of the 80th Legislature, Regular Session, 2007, are amended to read as follows:

(b) The regulatory authority for a public utility shall by rule or ordinance adopt standards for maintaining sufficient water pressure for service to fire hydrants adequate to protect public safety in residential areas in a municipality with a population of 10,000 [~~1,000,000~~] or more.

(c) The commission shall assess residential areas in a municipality with a population of 10,000 [~~1,000,000~~] or more to ensure that:

(1) the regulatory authority for the area has adopted the standards required by this section; and

(2) all public utilities serving the residential area are complying with the standards required by this section.

(d) The commission shall require a municipality with a population of 10,000 [~~1,000,000~~] or more and acting as a regulatory authority to make appropriate revisions to standards the commission considers to be inadequate within a reasonable time established by

1 the commission.

2 (e) The commission shall require a public utility in
3 violation of a standard required under this section and established
4 by the commission or by a municipality with a population of 10,000
5 [~~1,000,000~~] or more and acting as a regulatory authority to comply
6 with the standard within a reasonable time established by the
7 commission.

8 (f) This section does not limit the authority of a
9 municipality with a population of 10,000 [~~1,000,000~~] or more and
10 acting as a regulatory authority to prohibit a public utility in
11 violation of a standard established by the municipality from
12 recovering through the public utility's rates a penalty or fine
13 incurred for a violation of a standard.

14 SECTION 2. This Act takes effect September 1, 2009.