

AN ACT

relating to the authority of owners and managers of apartment houses to assess a service charge for the submetering of water and wastewater services.

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

SECTION 1. Section 13.503, Water Code, is amended by amending Subsections (c) and (d) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), in [In] addition to the charges permitted under Subsection (b), the rules shall authorize the owner or manager of a manufactured home rental community or apartment house [owner or manager] to impose a service charge of not more than nine percent of the costs related to submetering allocated to each submetered rental or dwelling unit.

(c-1) The rules may not authorize the owner or manager of an apartment house to impose a service charge under Subsection (c) on a resident who:

(1) resides in a unit of an apartment house that has received an allocation of low income housing tax credits under Subchapter DD, Chapter 2306, Government Code; or

(2) receives tenant-based voucher assistance under Section 8, United States Housing Act of 1937 (42 U.S.C. Section 1437f).

(d) For purposes of Subsection (c), "costs related to

1 submetering" means water costs as well as any other applicable
2 taxes and surcharges that are charged by the retail public utility
3 to the owner or manager of a manufactured home rental community or
4 apartment house [~~owner or manager~~].

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2126 passed the Senate on April 28, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 14, 2009, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 2126 passed the House, with amendment, on May 11, 2009, by the following vote: Yeas 142, Nays 3, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor