

BILL ANALYSIS

H.B. 805
By: Callegari
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2009 the 81st Legislature passed Senate Bill 361 to require that certain water utilities located in Harris County ensure the emergency operation of their water systems during an extended power outage as soon as safe and practicable after a natural disaster. Although the bill was intended to apply to utilities in Fort Bend County, the population bracket used did not accurately identify that county.

H.B. 805 updates the population bracket to ensure that utilities located in Fort Bend County comply with SB 361's requirements.

RULEMAKING AUTHORITY

The bill does not expressly delegate rulemaking authority to any state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends §13.1395, Water Code to require that a retail public utility, exempt utility, or provider or conveyor of potable or raw water service in a county with a population of 350,000 (Fort Bend) or more adjacent to a county with a population of 3.3 million or more ensure the emergency operation of its water system during an extended power outage as soon as safe and practicable after a natural disaster.

SECTION 2. Implementation language requiring that each affected utility within Fort Bend County provide a facility description and certain contact information to each appropriate county judge and office of emergency management, Public Utility Commission of Texas, and Office of Emergency Management of the Governor by 1 November 2011. Each affected utility within Fort Bend County shall submit its emergency preparedness plan to the Texas Commission on Environmental Quality by 1 February 2012. An affected utility in Fort Bend County shall implement its plan approved by TCEQ no later than 1 June 2012. An affected utility within Fort Bend County may file a written request with TCEQ for a 90 day extension of the 1 February submission, or 1 June implementation deadlines. TCEQ shall approve the request for good cause shown.

SECTION 3. Effective date: upon passage, or 1 September 2011.

EFFECTIVE DATE

Immediate effect upon receipt of two-thirds vote from each house, or 1 September 2011.