

BILL ANALYSIS

C.S.H.B. 1814
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Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

While many water supply corporations would like to provide fire-flow levels of water supply services to fire departments, such corporations do not always have immunity from liability for providing this public service unless they contract with the fire department.

C.S.H.B. 1814 seeks to encourage cooperation between water supply corporations and fire departments and enable such corporations to assist fire departments without the fear of being sued by authorizing a water supply corporation to provide a water supply to a governmental entity or volunteer fire department for use in fire suppression and by expanding certain liability protections.

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

C.S.H.B. 1814 amends the Water Code to authorize a water supply or sewer service corporation to provide a water supply to a governmental entity or volunteer fire department for use in fire suppression. The bill extends the limitation on liability for damages to a corporation that provides a water supply or fire hydrant equipment to carry out a governmental function, rather than limiting the limitation on liability to a corporation under contract to provide the supply or equipment. The bill makes conforming changes.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1814 differs from the original by authorizing a water supply or sewer service corporation to provide a water supply to a governmental entity for use in fire suppression, whereas the original authorizes such a corporation to provide a water supply to a municipality for such use. The substitute contains provisions not included in the original making conforming and nonsubstantive changes.