

By: Dutton

H.B. No. 490

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to single certification in incorporated or annexed areas  
3 served by investor-owned water or sewer utilities.

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

5 SECTION 1. Section 13.255(j), Water Code, is amended to  
6 read as follows:

7 (j) This section shall apply only in a case where[+]

8 [~~(1)~~] the retail public utility that is authorized to  
9 serve in the certificated area that is annexed or incorporated by  
10 the municipality is a nonprofit water supply or sewer service  
11 corporation, a special utility district under Chapter 65, Water  
12 Code, [~~or~~] a fresh water supply district under Chapter 53, Water  
13 Code, or an investor-owned utility [~~+ or~~

14 [~~(2) the retail public utility that is authorized to~~  
15 ~~serve in the certificated area that is annexed or incorporated by~~  
16 ~~the municipality is a retail public utility, other than a nonprofit~~  
17 ~~water supply or sewer service corporation, and whose service area~~  
18 ~~is located entirely within the boundaries of a municipality with a~~  
19 ~~population of 1.7 million or more according to the most recent~~  
20 ~~federal census~~].

21 SECTION 2. The changes made by this Act to Section  
22 13.255(j), Water Code, apply only to a municipality's application  
23 for single certification that is made on or after the effective date  
24 of this Act.

1 SECTION 3. This Act takes effect September 1, 2011.