| **House Bill 3090**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| SECTION 1. Section 16.0121, Water Code, is amended by amending Subsections (b), (c), and (f) and adding Subsection (b-1) to read as follows:  (b) Except as provided by Subsection (b-1) [~~Every five years~~], a retail public utility providing potable water shall perform and file with the board an annual [~~a~~] water audit computing the utility's [~~most recent annual~~] system water loss during the preceding year.  (b-1) A retail public utility providing potable water that serves populations of 10,000 or less and that does not receive any form of financial assistance from the board shall perform and file with the board every five years a water audit computing the utility's most recent annual system water loss.  (c) The board shall develop appropriate methodologies and submission dates for a water audit required under Subsection (b) or (b-1) for the following categories of retail public utilities:  (1) retail public utilities serving populations of 100,000 or more;  (2) retail public utilities serving populations of 50,000 or more but less than 100,000;  (3) retail public utilities serving populations of more than 10,000 [~~3,300~~] but less than 50,000; and  (4) retail public utilities serving populations of 10,000 [~~3,300~~] or less.  (f) The board shall compile the information included in the water audits required by Subsections [~~Subsection~~] (b) and (b-1) according to category of retail public utility and according to regional water planning area. The regional planning group for a regional planning area shall use the information to identify appropriate water management strategies in the development of a regional water plan under Section 16.053. | SECTION 1. Section 16.0121, Water Code, is amended by amending Subsections (b), (c), and (f) and adding Subsection (b-1) to read as follows:  (b) Except as provided by Subsection (b-1) [~~Every five years~~], a retail public utility providing potable water that receives from the board financial assistance shall perform and file with the board an annual [~~a~~] water audit computing the utility's [~~most recent annual~~] system water loss during the preceding year.  (b-1) A retail public utility providing potable water that does not receive from the board financial assistance shall perform and file with the board every five years a water audit computing the utility's most recent annual system water loss.  (c) The board shall develop appropriate methodologies and submission dates for a water audit required under Subsection (b) or (b-1) for the following categories of retail public utilities:  (1) retail public utilities serving populations of 100,000 or more;  (2) retail public utilities serving populations of 50,000 or more but less than 100,000;  (3) retail public utilities serving populations of more than 10,000 [~~3,300~~] but less than 50,000; and  (4) retail public utilities serving populations of 10,000 [~~3,300~~] or less.  (f) The board shall compile the information included in the water audits required by Subsections [~~Subsection~~] (b) and (b-1) according to category of retail public utility and according to regional water planning area. The regional planning group for a regional planning area shall use the information to identify appropriate water management strategies in the development of a regional water plan under Section 16.053. |  |
| SECTION 2. Not later than May 1, 2013, a retail public utility that receives financial assistance from the Texas Water Development Board, or a retail public utility that serves a population of more than 10,000, shall submit the first annual report required by Section 16.0121, Water Code, as amended by this Act. The initial water audit report submitted by a retail public utility under that section shall compute the utility's most recent annual system water loss. | SECTION 2. Same as House version. |  |
| SECTION 3. This Act takes effect September 1, 2011. | SECTION 3. Same as House version. |  |