

**House Bill 805**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 13.1395(a)(1), Water Code, is amended to read as follows:

(1) "Affected utility" means a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

- (A) in a county with a population of 3.3 million or more; or
- (B) in a county with a population of **350,000** ~~[400,000]~~ or more adjacent to a county with a population of 3.3 million or more.

SECTION 2. (a) Not later than November 1, 2011, each affected utility described by Section 13.1395(a)(1)(B), Water Code, as amended by this Act, shall submit the information required by Section 13.1396, Water Code, to:

- (1) each appropriate county judge and office of emergency management;
- (2) the Public Utility Commission of Texas; and
- (3) the division of emergency management of the governor.

(b) Not later than February 1, 2012, each affected utility described by Section 13.1395(a)(1)(B), Water Code, as amended by this Act, shall submit to the Texas Commission on Environmental Quality the emergency preparedness plan required by Section 13.1395, Water Code, as amended by this Act.

(c) Not later than June 1, 2012, each affected utility described by Section 13.1395(a)(1)(B), Water Code, as amended by this Act, shall implement the emergency preparedness plan approved by the Texas Commission on Environmental Quality under Section 13.1395, Water Code, as amended by this Act.

(d) An affected utility described by Section 13.1395(a)(1)(B), Water Code, as amended by this Act, may file with the Texas Commission on Environmental Quality a written request for

SENATE VERSION (CS)

SECTION 1. Section 13.1395(a)(1), Water Code, is amended to read as follows:

(1) "Affected utility" means a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

- (A) in a county with a population of 3.3 million or more; or
- (B) in a county with a population of **550,000** ~~[400,000]~~ or more adjacent to a county with a population of 3.3 million or more.

SECTION 2. Same as House version.

CONFERENCE

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an extension, not to exceed 90 days, of the date by which the affected utility is required under Subsection (b) of this section to submit the affected utility's emergency preparedness plan or of the date by which the affected utility is required under Subsection (c) of this section to implement the affected utility's emergency preparedness plan. The Texas Commission on Environmental Quality shall approve the requested extension for good cause shown.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

SENATE VERSION (CS)

SECTION 3. Same as House version.

CONFERENCE