

BILL ANALYSIS

C.S.H.B. 1461
By: Aycock
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that customers of a retail public utility that experience significant water loss should be notified of that water loss. C.S.H.B. 1461 seeks to address this issue in order to assist the state in water conservation.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1461 amends the Water Code to require the Texas Commission on Environmental Quality by rule to require a retail public utility that files a water audit to notify each of the utility's customers of the water loss reported in the water audit. The bill requires the retail public utility to provide the notice on or with the utility's next annual consumer confidence report delivered after the water audit is filed or the next bill the customer receives after the water audit is filed.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1461 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.148 to read as follows:

Sec. 13.148. NOTIFICATION OF SIGNIFICANT WATER LOSS. (a) The commission by rule shall require a retail public utility that experiences in any month total water loss of more than 10 percent to notify each of the utility's customers, on the customer's next bill, of the water loss.

(b) The notice must disclose the percentage of water lost by the utility and the primary

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.148 to read as follows:

Sec. 13.148. NOTIFICATION OF WATER LOSS. (a) The commission by rule shall require a retail public utility that files a water audit required by Section 16.0121 to notify each of the utility's customers of the water loss reported in the water audit.

reasons for the loss. The notice must contain, in addition to any other statements required under this section, language substantially similar to the following:

"As required by state law, this notice is to inform you that this water system is experiencing a water loss of _____ percent."

(b) A retail public utility shall provide the notice required under Subsection (a) on or with:

(1) the utility's next annual consumer confidence report delivered after the water audit is filed; or

(2) the next bill the customer receives after the water audit is filed.

SECTION 2. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.