

BILL ANALYSIS

H.B. 1797
By: Isaac
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that current law requires certain water providers to paint hydrants black that are nonfunctioning or otherwise unavailable for fire suppression. The parties further note that when the initial legislation was passed it was intended to solve a problem identified by fire fighters who could not tell which fire hydrants were operable and within minimum operating standards in unincorporated areas of the state. The parties contend that in response to this legislation private water companies and other providers began painting all of their hydrants black, even those capable of meeting the minimum qualifications for fire suppression, in order to ensure that they would not be liable for damage to fire equipment or to houses and businesses because of the failure of a fire hydrant to provide the required water flow. H.B. 1797 seeks to address this issue by establishing provisions relating to the authority to regulate certain water and sewage utilities to ensure public safety in and around certain municipalities.

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

H.B. 1797 amends the Health and Safety Code to expand the applicability of statutory provisions requiring the regulatory authority for a public utility to adopt public safety standards for installing fire hydrants and maintaining sufficient water pressure for service to fire hydrants to a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 7,000 and less than 30,000 located in a county with a population of more than 155,000 and less than 180,000.

EFFECTIVE DATE

September 1, 2013.