

By: Miles

H.B. No. 254

A BILL TO BE ENTITLED

AN ACT

relating to an exemption for farms from payment for wastewater service.

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

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

Sec. 13.148. FARM WASTEWATER FEE EXEMPTION. (a) In this section:

(1) "Community garden" means land gardened by a cooperative group of people residing in a neighborhood or community for the purpose of providing fresh produce for the benefit of the residents of the neighborhood or community.

(2) "Farm" means land used primarily to produce food for human consumption. The term includes a food plot in a community garden or a farm inside the boundaries of a municipality.

(b) Notwithstanding another provision of this chapter, a retail public utility may not receive compensation for wastewater service provided to an owner or operator of a farm unless the compensation is based on the actual wastewater service used by the owner or operator for purposes of the farm.

(c) The commission may develop standards to determine whether a farm or garden qualifies as a farm or community garden under this section.

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