

By: Moody

H.B. No. 2677

A BILL TO BE ENTITLED

AN ACT

relating to municipal standards for retail public utilities that provide water service in the municipality.

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

SECTION 1. Section 341.0357(a), Health and Safety Code, is amended to read as follows:

(a) The owner of any device having the appearance of a fire hydrant that is located in a place that an entity responsible for providing fire suppression services in a fire emergency would expect a fire hydrant to typically be located shall paint the device black if the device is nonfunctioning or otherwise unavailable for use by the entity providing fire suppression services in a fire emergency. The owner may place a black tarp over the device instead of painting the device black as required under this section if the device is temporarily nonfunctioning, or temporarily unavailable for use in a fire emergency, for a period not to exceed seven days. An owner may not paint a functioning device black or place a black tarp over a functioning device.

SECTION 2. Chapter 342, Local Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 342.901. MUNICIPAL FIRE SUPPRESSION STANDARDS. (a)
In this section, "retail public utility" has the meaning assigned by Section 13.002, Water Code, and includes a water supply

1 corporation as defined by Section 49.001, Water Code, and an
2 investor-owned utility.

3 (b) A municipality by ordinance may establish standards
4 that require a retail public utility that provides water service in
5 the municipality or the municipality's extraterritorial
6 jurisdiction to provide basic water flow that is sufficient to
7 provide adequate pressure to fire suppression systems and
8 equipment, including fire hydrants.

9 SECTION 3. Section 13.247, Water Code, is amended by adding
10 Subsection (e) to read as follows:

11 (e) A municipality by ordinance may require a retail public
12 utility, including an investor-owned utility, certified or
13 entitled to certification under this chapter to provide service or
14 operate facilities inside the boundaries of the municipality to
15 provide the service or operate the facilities in the same manner
16 that the municipality would be required to provide the service or
17 operate the facilities.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2013.