

By: Burnam

H.B. No. 3607

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the submission and enforcement of system water loss  
3 audits performed by certain retail public utilities.

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

5 SECTION 1. Section 16.0121, Water Code, is amended by  
6 amending Subsections (b), (c), and (f) and adding Subsection (g) to  
7 read as follows:

8 (b) A [~~Except as provided by Subsection (b-1), a~~] retail  
9 public utility providing potable water [~~that receives from the~~  
10 ~~board financial assistance~~] shall perform, review, and file with  
11 the board an annual water audit computing the utility's system  
12 water loss during the preceding year.

13 (c) The board shall develop appropriate methodologies and  
14 submission dates for a water audit required under Subsection (b)  
15 [~~or (b-1)~~] for the following categories of retail public utilities:

16 (1) retail public utilities serving populations of  
17 100,000 or more;

18 (2) retail public utilities serving populations of  
19 50,000 or more but less than 100,000;

20 (3) retail public utilities serving populations of  
21 more than 10,000 but less than 50,000; and

22 (4) retail public utilities serving populations of  
23 10,000 or less.

24 (f) The board shall compile the information included in the

1 water audits required by Subsection [~~Subsections~~] (b) [~~and (b-1)~~]  
2 according to category of retail public utility and according to  
3 regional water planning area. The regional planning group for a  
4 regional planning area shall use the information to identify  
5 appropriate water management strategies in the development of a  
6 regional water plan under Section 16.053.

7 (g) The board may notify the commission if the board  
8 determines that an entity has violated this section.  
9 Notwithstanding Section 7.051(b), a violation of this section is  
10 enforceable in the manner provided by Chapter 7 for a violation of a  
11 provision of this code within the commission's jurisdiction or of a  
12 rule adopted by the commission under a provision of this code within  
13 the commission's jurisdiction.

14 SECTION 2. Section 16.0121(b-1), Water Code, is repealed.

15 SECTION 3. Not later than May 1, 2015, a retail public  
16 utility providing potable water that does not receive financial  
17 assistance from the Texas Water Development Board shall file with  
18 the board the first annual water audit required by Section 16.0121,  
19 Water Code, as amended by this Act. The water audit must compute  
20 the utility's most recent annual system water loss.

21 SECTION 4. This Act takes effect September 1, 2013.