

SENATE AMENDMENTS

2nd Printing

By: Lucio III, Burnam

H.B. No. 857

A BILL TO BE ENTITLED

AN ACT

relating to the frequency of water audits by certain retail public utilities.

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

SECTION 1. Sections 16.0121(b), (b-1), and (c), Water Code, are amended to read as follows:

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

(b-1) A retail public utility providing potable water that does not receive from the board financial assistance and is serving a population of 3,300 or less shall perform and file with the board every five years a water audit computing the utility's most recent annual system water loss.

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

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

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

(3) retail public utilities serving populations of

1 ~~[more than]~~ 10,000 or more but less than 50,000; ~~[and]~~

2 (4) retail public utilities serving populations of
3 more than 3,300 but less than 10,000; and

4 (5) retail public utilities serving populations of
5 3,300 or less.

6 SECTION 2. Not later than September 1, 2014, a retail public
7 utility shall submit its initial annual water audit required by
8 Section 16.0121(b), Water Code, as amended by this Act. The initial
9 water audit shall compute the utility's most recent annual system
10 water loss.

11 SECTION 3. This Act takes effect September 1, 2013.

ADOPTED

MAY 13 2013

Atty. Gen.
Secretary of the Senate

By: Rodney Elkin H.B. No. 857
Substitute the following for H.B. No. 857:
By: Rodney Elkin C.S. H.B. No. 857

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the frequency of water audits by certain retail public
3 utilities.

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

5 SECTION 1. Sections 16.0121(b), (b-1), and (c), Water Code,
6 are amended to read as follows:

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

12 (b-1) A retail public utility providing potable water that
13 does not receive from the board financial assistance and is serving
14 a population of 3,300 or less shall perform and file with the board
15 every five years a water audit computing the utility's most recent
16 annual system water loss.

17 (c) The board shall develop appropriate methodologies and
18 submission dates for a water audit required under Subsection (b) or
19 (b-1) for the following categories of retail public utilities:

20 (1) retail public utilities serving populations of
21 100,000 or more;

22 (2) retail public utilities serving populations of
23 50,000 or more but less than 100,000;

24 (3) retail public utilities serving populations of

1 ~~more than~~ 10,000 or more but less than 50,000; ~~and~~

2 (4) retail public utilities serving populations of
3 more than 3,300 but less than 10,000; and

4 (5) retail public utilities serving populations of
5 3,300 or less.

6 SECTION 2. Not later than May 1, 2014, a retail public
7 utility shall submit its initial annual water audit required by
8 Section 16.0121(b), Water Code, as amended by this Act. The initial
9 water audit shall compute the utility's most recent annual system
10 water loss.

11 SECTION 3. This Act takes effect September 1, 2013.

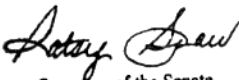
FLOOR AMENDMENT NO. 1

BY: 

1 Amend H.B. 857 in SECTION 1 of the bill, in amended Section
2 16.0121 (b-1), Water Code (page 1, lines 34-35), by striking
3 "and is serving a population of 3,300 or less" and substituting
4 "and is providing service to 3,300 or fewer connections".

ADOPTED

MAY 13 2013


Secretary of the Senate

FLOOR AMENDMENT NO. 2

BY: Rodney Elkin

(Amendment No. 1)

1 Amend ~~the amendment~~ to H.B. 857 (senate committee printing)

2 as follows by adding the following sections:

3 ___ In SECTION 1 of the bill, page 1, line 26, after
4 "Sections 16.0121(b)", delete ", (b-1), and (c)" and insert "and
5 (b-1)".

6 ___ In SECTION 1 of the bill, page 1, strike lines 38-50.

ADOPTED

MAY 13 2013

Patay Drew
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB857 by Lucio III (Relating to the frequency of water audits by certain retail public utilities.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to require a retail public utility that provides potable water to perform and file an annual water audit with the Texas Water Development Board (TWDB) computing the utility's system water loss during the preceding year beginning not later than May 1, 2014. A retail public utility that does not receive financial assistance from TWDB and is providing service to 3,300 or fewer connections must perform and file an audit every five years.

Local Government Impact

There could be costs to certain retail public utilities that would vary by utility depending on current reporting procedures and costs for a water loss audit.

According to a previous study conducted by TWDB, estimated costs to a retail public utility to complete an annual water loss audit ranged from less than \$1,000 to \$20,000 depending on the size of the utility and their current records system.

Source Agencies: 580 Water Development Board

LBB Staff: UP, SZ, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 7, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB857 by Lucio III (Relating to the frequency of water audits by certain retail public utilities.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to require a retail public utility that provides potable water to perform and file an annual water audit with the Texas Water Development Board (TWDB) computing the utility's system water loss during the preceding year beginning not later than May 1, 2014. A retail public utility that does not receive financial assistance from TWDB and serves a population of 3,300 or less must perform and file an audit every five years.

Local Government Impact

There could be costs to certain retail public utilities that would vary by utility depending on current reporting procedures and costs for a water loss audit.

According to a previous study conducted by TWDB, estimated costs to a retail public utility to complete an annual water loss audit ranged from less than \$1,000 to \$20,000 depending on the size of the utility and their current records system.

Source Agencies: 580 Water Development Board

LBB Staff: UP, SZ, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 2, 2013

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB857 by Lucio III (Relating to the frequency of water audits by certain retail public utilities.), **As Engrossed**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would amend the Water Code to require a retail public utility that provides potable water to perform and file an annual water audit with the Texas Water Development Board (TWDB) computing the utility's system water loss during the preceding year beginning not later than September 1, 2014. A retail public utility that does not receive financial assistance from TWDB and serves a population of 3,300 or less must perform and file an audit every five years.

Local Government Impact

There could be costs to certain retail public utilities that would vary by utility depending on current reporting procedures and costs for a water loss audit.

According to a previous study conducted by TWDB, estimated costs to a retail public utility to complete an annual water loss audit ranged from less than \$1,000 to \$20,000 depending on the size of the utility and their current records system.

Source Agencies: 580 Water Development Board

LBB Staff: UP, SZ, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 11, 2013

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB857 by Lucio III (Relating to the frequency of water audits by certain retail public utilities.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to require a retail public utility that provides potable water to perform and file an annual water audit with the Texas Water Development Board (TWDB) computing the utility's system water loss during the preceding year beginning not later than September 1, 2014. A retail public utility that does not receive financial assistance from TWDB and serves a population of 3,300 or less must perform and file an audit every five years.

Local Government Impact

There could be costs to certain retail public utilities that would vary by utility depending on current reporting procedures and costs for a water loss audit.

According to a previous study conducted by TWDB, estimated costs to a retail public utility to complete an annual water loss audit ranged from less than \$1,000 to \$20,000 depending on the size of the utility and their current records system.

Source Agencies: 580 Water Development Board

LBB Staff: UP, SZ, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 14, 2013

TO: Honorable Allan Ritter, Chair, House Committee On Natural Resources

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB857 by Lucio III (Relating to the frequency of water audits by certain retail public utilities.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Water Code to require a retail public utility that provides potable water to perform and file an annual water audit with the Texas Water Development Board (TWDB) computing the utility's system water loss during the preceding year. Under current statute, a retail public utility that receives financial assistance from TWDB must perform and file an audit annually, but is only required to file every five years if the utility does not receive financial assistance.

The bill would repeal Section 16.0121(b-1) of the Water Code.

Local Government Impact

There could be costs to certain retail public utilities that would vary by utility depending on current reporting procedures and costs for a water loss audit.

According to a previous study conducted by TWDB, estimated costs to a retail public utility to complete an annual water loss audit ranged from less than \$1,000 to \$20,000 depending on the size of the utility and their current records system.

Source Agencies: 580 Water Development Board

LBB Staff: UP, SZ, TP