

By: Elkins

H.B. No. 4221

A BILL TO BE ENTITLED

AN ACT

relating to requiring owners of sanitary sewer systems to report the current condition of a system's infrastructure to the Texas Commission on Environmental Quality.

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

SECTION 1. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.150 to read as follows:

Sec. 13.150. SEWER UTILITY SERVICE SYSTEM REPORT. (a) A retail public utility that provides sewer utility service shall report to the commission the current condition of the utility's sewer system.

(b) The retail public utility must report to the commission not later than the 10th anniversary of the date the utility last filed a report under this section.

(c) The report must rate the condition of all sewer collection infrastructure components of the system in accordance with commission rules as:

(1) functioning without signs of deterioration or leaks and in a good condition that requires no repairs;

(2) needing minor repairs to restore minor damage or to fix leaks or cracks;

(3) needing to be rehabilitated to restore lost structural integrity soon or to fix active leaks and cracks allowing inflow and outflow; or

1 (4) requiring a full replacement because the system
2 component is near to or in a condition of failure.

3 (d) The condition assignment described by Subsection (c)
4 must be signed by:

5 (1) an engineer; and

6 (2) the governing body of the retail public utility.

7 (e) The commission shall compile information from the
8 report required by this section and post the information on the
9 commission's Internet website.

10 SECTION 2. A retail public utility, as defined by Section
11 [13.002](#), Water Code, that provides sewer utility service must submit
12 the initial report required by Section 13.150, Water Code, as added
13 by this Act, on or before December 1, 2018.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section [39](#), Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.