86R11177 SLB-D

By:  Zwiener H.B. No. 2957

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that certain recipients of financial assistance from the Texas Water Development Board adopt certain restrictions on water use by their customers.

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

SECTION 1.  Subchapter A, Chapter 15, Water Code, is amended by adding Section 15.009 to read as follows:

Sec. 15.009.  FINANCIAL ASSISTANCE; WATERING RESTRICTIONS. (a) This section applies only to financial assistance provided under this chapter:

(1)  for a municipal water supply project;

(2)  in an amount that exceeds $500,000; and

(3)  to an entity that:

(A)  is a:

(i)  retail public utility as defined by Section 13.002; and

(ii)  public entity; and

(B)  is not a:

(i)  political subdivision that is primarily a wholesale water provider; or

(ii)  nonprofit water supply corporation created and operating under Chapter 67.

(b)  The board may waive the requirements of this section for financial assistance sought to meet an emergency need.

(c)  Financial assistance provided under this chapter shall include conditions that require the recipient to have a water conservation program in place that includes mandatory time-of-day limitations on outdoor watering by its customers.

(d)  The board shall:

(1)  adopt rules to implement this section; and

(2)  provide guidance to recipients of financial assistance provided under this chapter in developing and implementing programs that meet the requirements of this section and rules adopted to implement this section.

SECTION 2.  Subchapter B, Chapter 16, Water Code, is amended by adding Section 16.025 to read as follows:

Sec. 16.025.  FINANCIAL ASSISTANCE; WATERING RESTRICTIONS. (a) This section applies only to financial assistance provided under this chapter:

(1)  for a municipal water supply project;

(2)  in an amount that exceeds $500,000; and

(3)  to an entity that:

(A)  is a:

(i)  retail public utility as defined by Section 13.002; and

(ii)  public entity; and

(B)  is not a:

(i)  political subdivision that is primarily a wholesale water provider; or

(ii)  nonprofit water supply corporation created and operating under Chapter 67.

(b)  The board may waive the requirements of this section for financial assistance sought to meet an emergency need.

(c)  Financial assistance provided under this chapter shall include conditions that require the recipient to have a water conservation program in place that includes mandatory time-of-day limitations on outdoor watering by its customers.

(d)  The board shall:

(1)  adopt rules to implement this section; and

(2)  provide guidance to recipients of financial assistance provided under this chapter in developing and implementing programs that meet the requirements of this section and rules adopted to implement this section.

SECTION 3.  Subchapter A, Chapter 17, Water Code, is amended by adding Section 17.004 to read as follows:

Sec. 17.004.  FINANCIAL ASSISTANCE; WATERING RESTRICTIONS. (a) This section applies only to financial assistance provided under this chapter:

(1)  for a municipal water supply project;

(2)  in an amount that exceeds $500,000; and

(3)  to an entity that:

(A)  is a:

(i)  retail public utility as defined by Section 13.002; and

(ii)  public entity; and

(B)  is not a:

(i)  political subdivision that is primarily a wholesale water provider; or

(ii)  nonprofit water supply corporation created and operating under Chapter 67.

(b)  The board may waive the requirements of this section for financial assistance sought to meet an emergency need.

(c)  Financial assistance provided under this chapter shall include conditions that require the recipient to have a water conservation program in place that includes mandatory time-of-day limitations on outdoor watering by its customers.

(d)  The board shall:

(1)  adopt rules to implement this section; and

(2)  provide guidance to recipients of financial assistance provided under this chapter in developing and implementing programs that meet the requirements of this section and rules adopted to implement this section.

SECTION 4.  (a) As soon as practicable after the effective date of this Act, the Texas Water Development Board shall adopt rules under Sections 15.009, 16.025, and 17.004, Water Code, as added by this Act.

(b)  Sections 15.009, 16.025, and 17.004, Water Code, as added by this Act, apply only to an application for financial assistance submitted to the Texas Water Development Board on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2019.