86R11122 JXC-D

By:  Nevárez H.B. No. 4246

A BILL TO BE ENTITLED

AN ACT

relating to nonsubmetered billing for water or wastewater service.

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

SECTION 1.  The heading to Section 13.5031, Water Code, is amended to read as follows:

Sec. 13.5031.  NONSUBMETERING RULES; CHARGES.

SECTION 2.  Section 13.5031, Water Code, is amended by adding Subsection (c) to read as follows:

(c)  An owner, operator, or manager of an apartment house, manufactured home rental community, or multiple use facility who bills tenants for nonsubmetered master metered utility service may not charge a dwelling unit base charge of more than $5.

SECTION 3.  Subchapter M, Chapter 13, Water Code, is amended by adding Section 13.5032 to read as follows:

Sec. 13.5032.  MUNICIPAL NONSUBMETERED BILLING; CHARGES. (a) Each municipally owned utility that bills for nonsubmetered master metered utility service shall make publicly available for each entity billed a statement that includes:

(1)  a current copy of the municipally owned utility's rate structure applicable to the billed service; and

(2)  a list of fees and charges applicable to the billed service.

(b)  A municipally owned utility may not charge a dwelling unit base charge of more than $5 for nonsubmetered master metered utility service. Notwithstanding Subchapter C, a person may appeal a charge that does not comply with this subsection by filing a petition with the utility commission. The utility commission shall hear the appeal de novo, and the municipality charging the fee has the burden of proof to establish that the fee complies with this subsection. The utility commission shall set the fees to be charged by the municipality in accordance with this subsection.

SECTION 4.  This Act takes effect September 1, 2019.