

A BILL TO BE ENTITLED

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

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

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

8 Sec. 15.009. FINANCIAL ASSISTANCE; WATERING RESTRICTIONS.

9 (a) This section applies only to financial assistance provided
10 under this chapter:

11 (1) for a municipal water supply project;

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

13 (3) to an entity that:

14 (A) is a:

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

17 (ii) public entity; and

18 (B) is not a:

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

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

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

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

5 (d) The board shall:

6 (1) adopt rules to implement this section; and

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

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

13 Sec. 16.025. FINANCIAL ASSISTANCE; WATERING RESTRICTIONS.

14 (a) This section applies only to financial assistance provided
15 under this chapter:

16 (1) for a municipal water supply project;

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

18 (3) to an entity that:

19 (A) is a:

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

22 (ii) public entity; and

23 (B) is not a:

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

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

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

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

7 (d) The board shall:

8 (1) adopt rules to implement this section; and

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

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

15 Sec. 17.004. FINANCIAL ASSISTANCE; WATERING RESTRICTIONS.

16 (a) This section applies only to financial assistance provided
17 under this chapter:

18 (1) for a municipal water supply project;

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

20 (3) to an entity that:

21 (A) is a:

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

24 (ii) public entity; and

25 (B) is not a:

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

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

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

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

9 (d) The board shall:

10 (1) adopt rules to implement this section; and

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

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

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

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