

By: Springer

H.B. No. 4477

Substitute the following for H.B. No. 4477:

By: Nevárez

C.S.H.B. No. 4477

A BILL TO BE ENTITLED

AN ACT

relating to reporting on the provision of water and sewer services
by certain utilities.

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. REPORTS REQUIRED FOR WATER AND SEWER
UTILITIES. (a) Except as provided by Subsection (b), a Class B or
Class C utility shall deliver to the utility commission a report of
the utility's financial, managerial, and technical capacity to
provide continuous and adequate service to its customers not later
than the third anniversary of the date that the utility violates a
final order of the commission by failing to:

(1) provide system capacity that is greater than the
required raw water or groundwater production rate or the
anticipated daily demand of the system;

(2) provide a minimum pressure of 35 pounds per square
inch throughout the distribution system under normal operating
conditions; or

(3) maintain accurate or properly calibrated testing
equipment or other means of monitoring the effectiveness of a
chemical treatment or pathogen inactivation or removal process.

(b) A Class B or Class C utility that has an existing
obligation to deliver a report under Subsection (a) is not required

1 to deliver another report as a result of the occurrence of an event
2 described by Subsection (a) if the event occurs before the date that
3 the utility delivers the report required by Subsection (a).

4 SECTION 2. (a) Except as provided by Subsection (b) of this
5 section, a Class B or Class C utility that, not more than three
6 years before the effective date of this Act, violated an order
7 described by Section 13.150(a), Water Code, as added by this Act,
8 shall submit a report described by Section 13.150(a), Water Code,
9 as added by this Act, not later than the fifth anniversary of the
10 event.

11 (b) A Class B or Class C utility that has an existing
12 obligation to deliver a report under Subsection (a) of this section
13 is not required to deliver another report as a result of the
14 occurrence of an event described by Section 13.150(a), Water Code,
15 as added by this Act, if the event occurs before the date that the
16 utility delivers the report required by Subsection (a) of this
17 section.

18 SECTION 3. This Act takes effect September 1, 2019.